

***“Liberate and EMPOWER
Aboriginal People in
New South Wales through
ECONOMIC and SOCIAL
INDEPENDENCE.”***





NEW SOUTH WALES ABORIGINAL LAND COUNCIL

29 October 2003

The Hon Dr Andrew Refshauge
Deputy Premier
Minister for Aboriginal Affairs
Level 31
Governor Macquarie Tower
1 Farrer Place
Sydney, NSW 2000

Dear Deputy Premier

We present to you the draft New South Wales Aboriginal Land Council Annual Report for the nine month period ended 30 June 2003, in accordance with the provisions of the NSW Aboriginal Land Rights Act 1983, the Public Finance and Audit Act 1983 and the Annual Reports (Statutory Bodies) Act 1984. Note that this is the first NSWALC Annual Report presented in respect of a financial reporting period ending 30 June, a change made to bring NSWALC into line with the majority of bodies reporting under the above legislation. From 2004 onwards, reports will cover a twelve month period ending 30 June.

Please note that on 30 September 2003 the NSW Treasury approved an extension of time for lodgement of this report under Section 13 of the Annual Reports (Statutory Bodies) Act

Les Trindall
Chairperson

Ivern Adler
Secretary



Chairperson's Welcome

This is my second Annual Report as Chairman of the NSW Aboriginal Land Council and I am pleased to present it to you. I would ask you to take a few minutes to read about the recent achievements of the Council and its plans for the future. This account of NSWALC activities and achievements over the past nine months is being provided on a far more timely basis than in the distant past. It is also the first report to be prepared on a 30 June year ending basis, rather than the old 1 October to 30 September financial year. From 2004 onwards, reporting will be on a 1 July to 30 June financial year basis.



Les Trindall

Operating Environment and the NSWALC Investment Strategy

The impact of the September 11 terrorist attack on America's twin World Trade Centre towers continues to reverberate around the world and no investment-based organisation has escaped the losses that have arisen from devastated investor confidence in world stock markets. Among the poorest performers were conservative large funds investors, with all of these recording negative growth. Close to home, for example, the NSW State Government's own employee superannuation fund managers have presided over the largest losses of investor funds in the history of the scheme.

Fortunately for NSWALC, our portfolio operates across a broad spread of investments (listed property trusts, cash management funds and Government bonds, as well as local and international shares) and has therefore been protected to a large degree from the worst losses sustained in world share markets. Even the substantial growth in value of NSWALC's urban real estate assets could not offset the losses elsewhere in the investment portfolio, as bluechip stocks all took a battering.

However, prevailing low inflation and associated low domestic interest rates have combined with the worst drought in living memory to produce lower levels of cash flow for NSWALC than at any time in our Fund's history and thereby reduced fund growth below the optimal level for NSWALC operations

Consequently, it has been necessary to make substantial reductions to the NSWALC operating budget and, regrettably, this has meant staff losses at Head Office level, with future savings on salaries. Council implemented a freeze on all Head Office recruitment from the commencement of the reporting period, contributing significantly to overall reductions in staff numbers, also helped by a program of voluntary redundancies. Over the nine months in question, staff numbers declined by some 18 per cent. There is no area of NSWALC Head Office operation that has gone entirely untouched.

A major review of staffing was undertaken with a view to making this organisation much more focussed on its core function – support of the network of more than 120 local Aboriginal Land Councils. This review, performed by Hawkless Consulting, identified the opportunity to outsource a range of functions that were previously performed in house and indeed to discontinue, at least on a temporary basis, a number of functions that have "grown up" over time to provide more advanced and complex support services to our member Councils (including Policy Development, Internal Audit, Staff Training & Development and Legal Services).

Finally, the difficult decision was made to cancel the annual State Conference which is one of the largest "big ticket" discretionary items on NSWALC's annual operating budget.

An operating surplus of some \$20.4m was achieved over the reporting period, allowing



- a long overdue payrise to remaining staff (no pay rise has been made for more than 6 years)
- the full funding of a voluntary redundancy program for up to 11 Head Office positions, and
- part provision for Investigator's fees of \$900,000 (Bentley's MRI were appointed by Minister Refshauge in May 2003 to investigate allegations of mismanagement of NSWALC operations).

It continues to be a matter of some concern that the original investment "nest egg" of some \$485.6m set in 1998 has not maintained a rate of growth equal to or higher than inflation. To maintain the real value of NSWALC's investment portfolio for future generations, it is necessary to achieve annual growth in the order of 5% gross per annum.

Present indications are that improved management of our extensive portfolio and ongoing expert financial assistance to Council to help make the right decisions, will now produce the sort of returns that can sustain this target of 5% annual growth.

Our actual performance over the reporting period saw the Statutory Fund recover from \$487.8m as at 30 September 2002 to \$509.3m as at 30 June 2003, an improvement of some \$21.5m or 4.5 per cent. This is a nine month figure, so it translates to an annual projected growth rate of 6.0 per cent - an excellent result in the circumstances.

Improving Accountability

This reporting period saw Royal Assent given to the largest single legislative reform of NSWALC in its relatively short history. The NSW Aboriginal Land Rights Amendment Act 2001 was finally proclaimed on 25 October 2002, allowing NSWALC to commence implementation of a series of wide-ranging administrative reforms which, collectively, empower NSWALC to require higher standards of reporting and accountability from its Local Aboriginal Land Council constituency.

NSWALC has worked tirelessly throughout the reporting period to implement a series of reforms to Land Council operations, from the production of a funding agreement, standard 6 monthly reporting formats and a comprehensive review of the budget submission and approval process. NSWALC has developed closer links with the Department of Aboriginal Affairs and the Registrar via a joint reform working party, allowing greater transparency and understanding by bureaucrats of the circumstances in which LALCs actually operate.

Regrettably, our training & staff development program had to be severely curtailed during the same period owing to the aforementioned operating budget shortfall, with less than one quarter of the usual volume of training being conducted across the State. Some innovative support measures like desktop calendars highlighting key reporting dates and telephone "hotline" support for Regional and Local land councils moderated the impact of the reduced training effort. It is anticipated that training effort will again be increased as soon as the operating funds become available to finance it.

Adverse Decision on Rates Exemptions

One of the most remarkable and disappointing decisions of this (or any other) reporting period was the pre-emptory reversal of a well-informed Ministerial decision to waive the payment of rates on former Aboriginal Reserves or "mission lands", granted under land rights legislation to Aboriginal people in New South Wales.

NSWALC applauded the Government's initial 25 October 2002 decision to make automatic the waiver of rates and charges for Local Aboriginal Land Council held land, once identified as either vacant or of cultural significance. It cannot be defended that 6 months later (June 2003), the legislation

was again amended without stakeholder consultation, apparently to appease a small number of affected Local Government Authorities, overturning more than 4 years of negotiation and eventual consensus in reaching the initial position.

The Government completed a neat backflip with full twist in re-introducing rates and charges on those former Aboriginal Reserves. The unfair burden of rates and charges has once again been imposed on those Aboriginal Communities that can least afford them.

Five Objectives for the Future

I will say again that while we must remember the past and our traditions and our culture, we must also plan for the future, and we are now doing this with confidence. Last year, I outlined details of the NSWALC Business Plan, developed following a comprehensive planning process conducted over a period of three months and involving staff at all levels.

This process identified 5 core objectives that will continue to form the focus of our effort in the year ahead:

1. Fully support LALCs so they operate effectively and efficiently and provide relevant services to meet the needs of members
2. Help LALCs acquire and develop assets to become financially viable and self sufficient.
3. Ensure NSWALC is operationally sound and above reproach and this is seen both internally and externally
4. Maximise the return on investment portfolio while minimising the risk through prudent investment and increase the capital base
5. Influence Government policy and community attitude to create improvements for Aboriginal peoples

Each of these objectives is underpinned by a range of strategies for each of the key players in NSWALC and tasks and activities to support the achievement of these objectives have been spelled out. Further details and a report on progress are set out in the body of this Report. Please note that this last objective (5) has been the one to suffer most with the reduction in staff numbers at NSWALC. However, these tasks are fundamental and in my mind need to be revisited on a regular basis. It is only through effectively delivering on objectives 1 - 4 above that we might have reasonable success with the last. As the "house is put in order", so can the clean-up of our public image begin.

I would like to thank my fellow Councillors for their support and dedication to the task during these difficult times. It has been yet another year of massive change and we expect more of the same next year. We have had differences of opinion with our former Chief Executive Officer about future directions and, after a period of interim support from Mr Daniel Rose and Acting CEO Kerri Wilkinson, Council looks forward to working with a permanent new CEO in the year ahead. Following a nationwide search, I am pleased to report that William "Smiley" Johnstone has accepted appointment for a fixed term as CEO to commence in September 2003.

I commend this 2003 Annual Report to your attention.



Les Trindall



New South Wales
Aboriginal Land Council

New South Wales Aboriginal Land Council

It is important to place in context the way in which this organisation came into being and to make clear for the benefit of the wider community – both indigenous and non-indigenous – what it is that the Land Council system in New South Wales is designed to do and how it goes about doing that.

This report covers the activities and financial dealings of the New South Wales Aboriginal Land Council for the period 1 October 2002 to 30 June 2003. It provides a summary and highlights of our activities and achievements during that period, as well as the financial and other reports required under the NSW Government's Annual Reports (Statutory Bodies) Act 1984.



Background

The New South Wales Aboriginal Land Rights Act 1983 gives the New South Wales Aboriginal Land Council (NSWALC) the mandate to provide for the development of Land Rights for Aboriginal people in NSW. The Council is committed to the ongoing provision of high quality support and advice to the Local Aboriginal Land Council network and empowerment of Aboriginal communities through:

- Land acquisition either by land claim or purchase
- Establishment of commercial enterprises to create a sustainable economic base for Aboriginal communities
- Maintenance and enhancement of Aboriginal culture, identity and heritage (including the management of traditional sites and cultural materials within NSW).

In addition, NSWALC acts as an advisor to and negotiates with Governments at all levels to ensure the preservation of Aboriginal rights.

The Aboriginal Land Rights Amendment Act (2001), finally proclaimed on 25 October 2002, sets out an improved set of accountability requirements while at the same time permitting a greater degree of autonomy by LALCs in their dealings with land. For example, under the new Act, LALCs can, within guidelines, purchase, dispose of and lease land without specific prior approval from NSWALC or the Minister.



Our Clients

The Council consists of 13 democratically elected members who represent the 13 Aboriginal land council regions in New South Wales. The Council is supported in its work by a Head Office, located in Parramatta, headed by a Chief Executive Officer with the delegated authority of the Council to assume responsibility for all aspects of the day to day operation of the Council's affairs.

Most Regions have a Branch office to support the Council's work, with a total of 11 Branch Offices supporting 13 Regions. The principal client of the NSWALC is the network of 121 Local Aboriginal Land Councils which collectively manage the range of support services delivered at local level to their communities. These services include housing, legal, employment, training and property acquisition and management.

Aims & Objectives

NSWALC is empowered under legislation to:

- i) administer the NSWALC Account and Mining Royalties Account
- ii) grant funds for payment of the administrative costs and expenses of Regional and Local Aboriginal Land Councils
- iii) acquire land on its own behalf or on behalf of, or to be vested in, Local Aboriginal Land Councils
- iv) determine and approve/reject the terms and conditions of agreements proposed by Local Aboriginal Land Councils to allow mining or mineral exploration on Aboriginal land
- v) make claims on Crown lands, either on its own behalf or at the request of Local Aboriginal Land Councils
- vi) with the agreement of the particular LALC, manage any of the affairs of that Council
- vii) conciliate disputes between Aboriginal Land Councils or between Councils and individuals or between individual members of those Councils
- viii) make grants, lend money to or invest money on behalf of Aborigines
- ix) hold, dispose of or otherwise deal with land vested in or acquired by NSWALC
- x) ensure that Regional and Local Aboriginal Land Councils comply with the Act in respect of the establishment and keeping of accounts and the preparation and submission of budgets and financial reports
- xi) ensure that elections for the Chairpersons and other officers of Regional and Local Aboriginal Land Councils are conducted in accordance with the Act
- xii) advise the Minister on matters relating to Aboriginal land rights, and
- xiii) exercise such other functions as conferred or imposed on it by or under the Aboriginal Land Rights Act (1983) or any other Act.

The NSW Aboriginal Land Rights Amendment Act (2001), proclaimed on 25 October 2002, provides for NSWALC to carry out the following additional functions:

- (i) to mediate, conciliate and arbitrate disputes relating to the operation of the Principal Act between Aboriginal Land Councils, between those Councils and individuals, or between individual members of those Councils and to refer such disputes to the Registrar or independent mediators, conciliators and arbitrators
- (ii) with the approval of the Minister, to make grants or lend money to a funeral scheme established for the benefit of Aboriginal persons
- (iii) to compile and maintain a consolidated roll of all members of Local Aboriginal Land Councils
- (iv) to compile and maintain a register of all land held by Local Aboriginal Land Councils
- (v) to make prescribed information contained in the land register or consolidated membership roll that relates to a Local Aboriginal Land Council available on request to members of that Local Aboriginal Land Council

The key aims within this framework for NSWALC in 2002/2003 were as follows:

1. Fully support LALCs so they operate effectively and efficiently and provide relevant services to meet the needs of members
2. Help LALCs acquire and develop assets to become financially viable and self sufficient.
3. Ensure NSWALC is operationally sound and above reproach and that this is acknowledged both internally and externally
4. Maximise the return on investment portfolio while minimising the risk through prudent investment and increase the capital base
5. Influence Government policy and community attitude to create improvements for Aboriginal peoples



Each of these objectives is underpinned by a range of strategies for each of the key players in NSWALC and tasks and activities to support the achievement of these objectives have been spelled out, as follows:

- to further develop the economic management skills of staff and councillors to support NSWALC's investment strategy and healthy financial operation
- to conduct a comprehensive review of staffing and structures to ensure an optimal delivery of services to clients
- to review basic financial arrangements and practices to ensure the most prudent and timely handling of accounts and the avoidance of potential conflicts of interest
- to review Rural Property holdings with a view to establishing more efficient management practices and production techniques to improve productivity
- to establish a number of strategic precedents in land rights claims upon which to build a model for future claims
- to build on a resolution by the Local Government and Shires Association of NSW in August 2000 to admit NSWALC representatives into membership of the LGSA, and
- to continue to provide a comprehensive range of suitable training and development programs for Local Aboriginal Land Councils and our own staff.



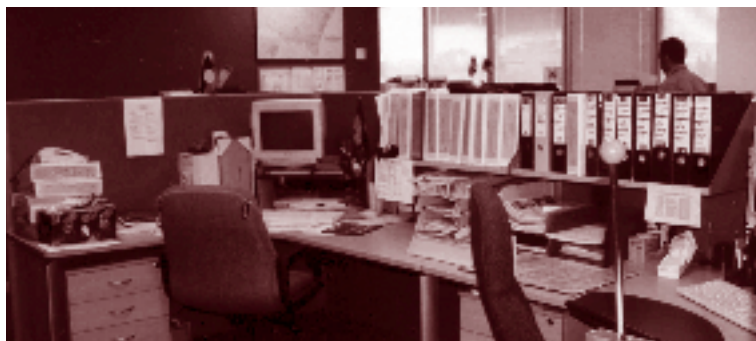
Regional Aboriginal Land Councils (RALCs)

There are 13 RALCs located across New South Wales. Each regional Aboriginal land council is made up of representatives elected by the various Local Aboriginal Land Councils. RALCs are designed to play an advisory role in the management of the land council network and do not have direct authority over any Local Aboriginal Land Council (although a RALC can make recommendations for consideration by a LALC or the NSWALC). Importantly, the RALC provides a local support base for LALCs and their elected Councillor.

The RALC is a statutory authority with the responsibility to:

- a. compile and maintain a register of all Local Aboriginal Land Councils within its area
- b. provide assistance to Local Aboriginal Land Councils in the preparation of claims on Crown land or the negotiation of the purchase or sale of land
- c. assist Local Aboriginal Councils in the establishment and keeping of accounts and submission of budgets and financial reports
- d. provide advice and further assistance as required by Local Aboriginal Land Councils in its area
- e. assist the NSWALC to conciliate any disputes between Local Aboriginal Land Councils, or between those councils and individuals, or between individual members of Councils, and
- f. exercise such other functions as are conferred or imposed on it by or under the Aboriginal Land Rights Act (1983) or any other Act.

The 2001 Amendments to the Act brought some changes to these responsibilities designed to streamline their operation and allow a greater focus on support to LALCs to help them meet their more onerous responsibilities under the new Act.



Regional Aboriginal Land Councils operated during 2002/2003 from the following locations:

Armidale	Northern Tablelands Region
Gosford	Sydney/Newcastle Region
Lismore	North Coast Region
Moama	Murray River Region
Nowra & Bateman's Bay	South Coast Region
Wagga Wagga	Wiradjuri Region
Coonamble	North West Region
Kempsey	Central Coast Region
Liverpool & Gosford	Western Metropolitan Region
Batemans Bay	Far South Coast Region
Quirindi	Northern Region
Menindee	Western Region
Dubbo	Central Region

A map setting out the boundaries of each Regional Council may be found at the rear of this report.



Local Aboriginal Land Councils (LALCs)

Local Aboriginal Land Councils are located across New South Wales. The number within each Region varies and ranges from three to 16, and the current total is 121. Each LALC elects its own office bearers (chairperson, secretary and treasurer) and also elects two regional representatives to attend meetings at their RALC. Staff and members are encouraged to access advice, information and support from the NSWALC.

LALCs work for their members and the wider Aboriginal community living in their local area. They assist in matters relating to the areas of housing, legal, employment and other day-to-day matters involving Aboriginal people in accordance with functions detailed under the Act.

The Act established the land council structure in a way that will help achieve a high degree of participation and involvement by every Aboriginal person in the affairs of their local community.

The Amendment Act clarified the reporting standards expected by the NSW Government for Land Councils and set in place a general framework for increased public accountability.

A complete list of Local Aboriginal Land Councils is located at Appendix I.

Branch Offices of NSWALC

NSWALC provides support to LALCs directly and also through a network of Branch Offices, located in such a way as to ensure that support services are more readily available to all 121 LALCs across NSW.

Council Structure & Membership

The New South Wales Aboriginal Land Council's elected arm consists of 13 Councillors, democratically elected by Local Aboriginal Land Council members to serve four year terms. The Council itself elects office bearers. During 2002 -2003, these positions were filled as follows:

Chairperson

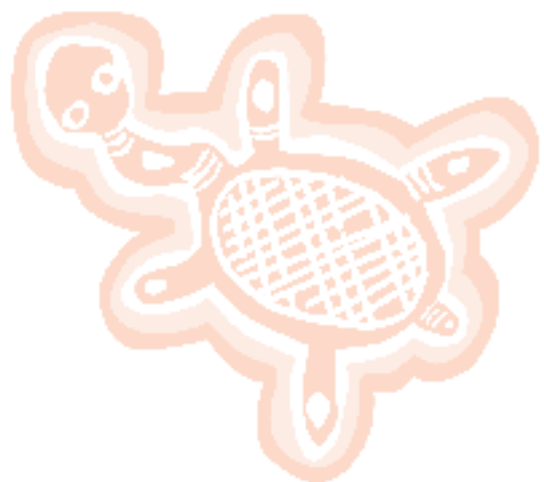
Les Trindall

Secretary

Ivern Ardler

Treasurer

Robert Lester



Councillor Profiles

Chairman



Councillor Les Trindall
North West Region

Les Trindall was elected NSWALC Chairman on 10 September 2002, having been elected Councillor for the North West Region at the 1999 election. While a first term Councillor, his association with the region and the Land Council network dates back another 11 years, during which time Les served as North West Region Branch Manager at Coonamble, offering support to a large number of Local Aboriginal Land Councils. Prior to his Land Council career, Les worked for many years as a drover and fencing contractor.

As Chairman, Les brings to the job a firm belief in the need to deliver the best possible dividend to Local Land Councils from a professionally run, secure investment portfolio. He acknowledges that times are tough right now but looks towards a return to good times in the year ahead. Les has always tried to make himself available at all times to his Region and as Chairman, despite the extra workload, will be making every effort to keep the door open for anyone that needs his help.

Secretary



Councillor Ivern Ardler
South Coast Region (elected 23 September 2002)
(formerly Treasurer until 26 August 2002)

Ivern has served NSWALC in various capacities since 1983, joining the Nowra LALC as Secretary, and progressing through election to the job of Councillor in 1996, culminating in election as Secretary for 1998/99. He currently serves NSWALC as Treasurer. Whilst he has had a long involvement in Aboriginal affairs at state level, Ivern's strongest commitment is to his local area. During his term of office Ivern achieved increased funding arrangements for LALCs and funding for improved housing for south coast land councils.

Ivern has spent most of his life on the NSW south coast, father of six children to Maureen Ardler. Born in Berry, Ivern spent his childhood at Wreck Bay, moving to Nowra in 1997. Ivern believes that land is central to the functions of all land councils and created the first land needs strategy for NSWALC.

Treasurer

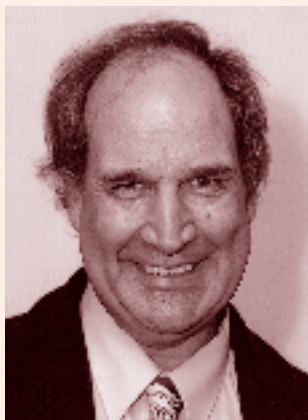


Councillor Robert Lester
Western Metropolitan Region
(elected 26 August 2002)

As Aboriginal Community Development Officer with the Department of Education, Employment and Training, Robert learned about the workings of government. He sees the experience as invaluable preparation for negotiations with government bodies and political parties on major issues such as cultural heritage protection and native title. Robert says work during his term on NSWALC has given him extensive involvement with isolated Aboriginal communities, especially in the areas of cultural heritage protection. Robert is positive about forging the independent future of NSWALC.

Councillor Robert Lester is a member of the Wanaruah nation, the area known as the Hunter Valley. Robert was raised in Redfern, later moving to live and work in Sydney's western suburbs where he resides with wife, Carol. Robert has four children and three grandchildren.

Councillor Profiles



Councillor Rod Towney
Central Region

Rod served as Chairman of NSWALC from December 1999 until September 2002. Rod sees an independent economic base that sustains cultural and financial independence as the key priority for NSWALC. Rod maintains a keen interest in Council portfolios including International Issues, Local Government, Heritage and Culture and Employment and Training. Rod has an extensive involvement with Aboriginal Land Councils, dating back to 1985. He was motivated to take on a leadership role in the community from his early years when he saw the poor treatment of Aboriginal people by the police and in schools.

Rod is a member of the Wiradjuri Nation as was his mother and father and lives in Dubbo. Rod is a qualified teacher and has taught all levels - infants, primary, secondary and tertiary education. He went to university as a mature age student, graduating with a Bachelor of Education. He later went on to gain his Graduate Certificate in Adult Education.



Councillor Veronica Graf
Sydney Newcastle Region

Veronica has been involved in Aboriginal Affairs for 25 years, is a strong believer in Land Rights, and is a staunch supporter of Aboriginal art, encouraging Aboriginal artists in her region.

Veronica was elected to NSWALC in 1999 and currently serves as Councillor for the Sydney Newcastle region, having served as Secretary during 2001/2002. Prior to her election, Veronica served 11 years with the Sydney Newcastle Office in Gosford.

In addition to her work with the Land Council Network, Veronica established the first Aboriginal Homework Centre in Gosford and founded the first medical service at Wyong, for which she is now Chairperson.

She secured funding for Darkinjung Local Aboriginal Land Council's Community Development Enterprise Project (CDEP) and currently serves as the CDEP Project Chairperson.

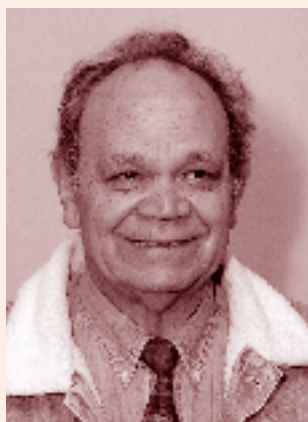


Councillor David Clark
Murray River Region

David has maintained active involvement in Aboriginal Affairs since the age of 18. David's strong belief in improving options for Aboriginal families guides his decisions at the Council level. David was part of the push in 1990 for changes to the Aboriginal Land Rights Act 1983 to include flexible provisions for local land council property and served as NSWALC Chairman during the early 1990s.

David's long-held vision of private home ownership for Aboriginal people resulted in the 'First Homes for the First People' housing scheme, established in 1999. David also sees youth-police relations as an important issue in rural Australia. David lives in Albury with wife, Justine, and is the proud parent of five children.

Councillor Profiles



Councillor Ossie Cruse
South East Coast Region

Ossie has served NSWALC in various capacities since 1983, culminating in his term as Chairman during 1998/1999. He oversaw the difficult period of transition where the Sunset Clause took effect, ending the land tax income stream and placing NSWALC on the path to financial independence. Ossie now maintains active portfolio interests in International Issues, ICAC and Housing, having represented Indigenous issues at a number of international forums, such as the United Nations, as well as at the grass roots local level.

Ossie Cruse is a veteran of Aboriginal affairs. A member of the Monaro people of the far south coast, Ossie has spent most of his life on his traditional country in and around the small town of Eden. Ossie and wife Beryl have three children and numerous grandchildren.



Councillor Tom Briggs
Northern Tablelands Region

A member of the Gumbaynggirr people, Councillor Tom Briggs has spent most of his life in the Armidale district and was elected for his first term in 1996. Tom holds a degree in administration and leadership. He previously worked with the Department of Education, Employment and Training for twenty years which has enabled him to gain extensive experience in human resources and training issues.

Tom's community involvement includes roles within local government, the Northern Regional Aboriginal and Torres Strait Islander Commission (ATSIC) and the Armidale Community Development Employment Program (CDEP), one of the largest and most successful in NSW. Tom believes that Regions should be better resourced to allow them to act as catalysts for initiatives at the local level to help meet the economic, social and cultural development needs and aspirations of our people. Building greater autonomy at the Regional level means that there would be greater capacity to support and help fund innovation at the local from a variety of sources, not just from NSWALC.



Councillor James Morgan
Wiradjuri Region

Born in Sydney and raised in Leeton, James Morgan has been actively involved in the Land Council Network in NSW since its early years. James was elected to NSWALC as Councillor of the Wiradjuri Region at the 1999 election. Before his term as a Councillor he was Branch Manager at Wagga Wagga, supporting Wiradjuri's numerous Local Aboriginal Land Councils. Prior to that, James served for eight years as Chairperson of the Tumut Brungle Local Aboriginal Land Council.



Councillor Profiles



Councillor Manul Ritchie
Central Coast Region

Manul Ritchie is a long serving Councillor having been elected to the first Council in 1984. A member of the Dunghutti and Birpai nations, Manul was born in Coffs Harbour and grew up in Taree. Manul became involved in Aboriginal affairs in 1965, actively lobbying Australian governments throughout the 60s and 70s. Alongside Faith Bandler and the late Oodgeroo Noonuccal (Kath Walker), Manul was a member of the Federal Council of Aborigines and Torres Strait Islanders (FCAATSI), a key organisation in national Aboriginal affairs.

Manul believes the NSW Land Rights Act and the Native Title Act can be used together to extend Aboriginal rights and to increase the amount of land claimable in NSW. He believes native title can also revive culture in the Aboriginal communities and restore pride to the Elders in each area. Manul has served NSWALC previously as both Treasurer and Interim Chairman during the early 1990s.



Councillor Wayne Griffiths
Northern Region

The son of veteran land rights activist, George Griffiths, and a member of the Corben clan (Namoi River) of the Kamilaroi nation, Councillor Wayne Griffiths has lived and worked in the Gunnedah region all his life. He and wife, Michelle, have four children. Wayne became committed to taking a leadership role during his young life - vowing that his children would never be treated as he was as a youngster.

One of the key areas for Wayne during his term on Council is home ownership, and he cites the success of the mortgage fund in the Northern Region. Wayne's top priorities for NSWALC include the continued growth of the investment fund and development of and amendments to the NSW Aboriginal Land Rights Act.



Councillor William Murray
Western Region

William Murray was born in Balranald, of the Nari Nari people. He has spent most of his life in the Wilcannia area. Currently serving his second term as Councillor to NSWALC, William is also into his fourth term as Aboriginal and Torres Strait Islander Commission (ATSIC) Councillor for the Murdi Paaki Region. William has enjoyed a long involvement with various Aboriginal organisations. After joining Wilcannia Local Aboriginal Land Council he went on to be Chair of the Western Regional Aboriginal Land Council when it formed in 1985.

William's priorities are a commitment to his local area and the good running of rural properties and heritage and cultural protection. He has been active in the Ancestral Remains program based at NSWALC.

Councillor Profiles



Councillor David Brown belongs to two of the north coast's largest language nations, through his mother's Gumbaynggirr people and the Bundjalung people of his father. David has spent all his life on his traditional country. He has been involved with Land Councils since 1989.

David intends to further LALC independence and develop community plans. He says that land and cultural heritage combined with responsible economic development and Aboriginal involvement in local business enterprises are critical for Aboriginal communities. He also plans to secure better resources for land councils and maintain links with local industry groups for the further success of land councils in the Far North Coast

Councillor David Brown
Far North Coast Region

Councillor Attendance at Meetings 2002 - 2003

Councillor	No. Meeting Days Eligible to Attend	No. Attended	Notes
I. Ardler	34	34	
T. Briggs	34	30	
D. Brown	34	34	
D. Clark	34	33	
O. Cruse	34	34	
V. Graf	34	26	Illness recorded for 8 days
W. Griffiths	34	33	
R. Lester	34	34	
J. Morgan	34	24	Illness recorded for 10 days
W. Murray	34	14	Illness recorded for 20 days
M. Ritchie	34	25	Illness recorded for 6 days
R. Towney	34	33	
L. Trindall	34	25	Illness recorded for 9 days

Councillor Profiles



Council with new CEO William Johnstone



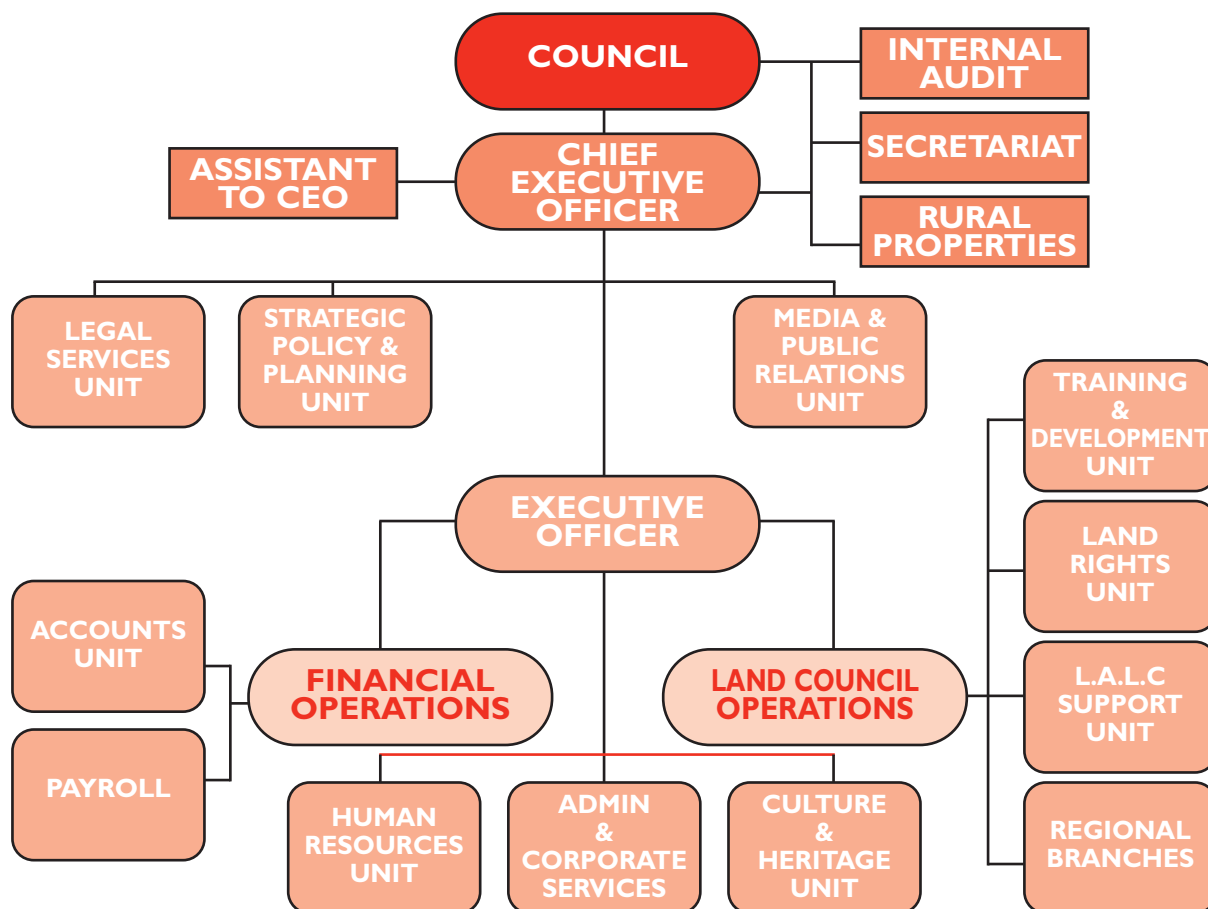


Aboriginal Land Council

Overview

Organisation Structure

Aboriginal Land Council



Structure currently under review

NSWALC is arranged in functional areas relating to the core business of the Council - namely, Land Rights and Investment. There is a range of management and support areas including Executive, Human Resources, Training & Development, Accounts, Purchasing, Fleet Management, Field Liaison and Internal Audit. Strategic priorities as well as structures have been determined in response to the requirements of the long-awaited Amendment Act (2001) which was finally proclaimed (with Regulations) on 25 October 2002.

As a result of the implementation of the recommendations of a major review of staffing structures undertaken during 2000/2001, a simplified corporate structure with boosted

support for LALCs and a rationalised corporate finance area was achieved. Substantial capability was also added to the organisation in terms of policy development but this was subsequently stripped away during the latter part of the reporting period in the search for cost savings. Although a difficult choice, retaining all added financial management expertise was considered more essential to the immediate needs and short-term future success of NSWALC as an independent, Aboriginal controlled body.

As at 30 June 2003, actual staffing level was 90 persons with 32 of these functioning in 11 Branch Offices. This represents an 18 per cent reduction on actual numbers at the close of the previous reporting period.

Executive

During 2002/2003, NSWALC had only one position at a level of Executive Officer. That position, Chief Executive Officer (originally Executive Director) was created in 1994 and although not part of the NSW Public Sector Senior Executive Service, was established at a level equivalent to SES Level 2.

The position was occupied by Mr Jeffrey Bradford until December 2003, when he was replaced temporarily by Mr Daniel Rose until March 2003. Ms Kerri Wilkinson (NSWALC) has acted in the position since that date. A permanent replacement for Mr Bradford is expected to commence duty on 1 September 2003.

The positions of Councillor are established under the NSW Aboriginal Land Rights Act, 1983 with salaries currently determined by the Statutory and Other Offices Remuneration Tribunal for Public Office Holders.

Media & Public Relations Unit



The Media Unit operated throughout 2002/2003 with 1 full time staff member (Media Manager) to perform a wide variety of publicity and promotional tasks. The Media Officer when lost through natural attrition was not replaced, as Council's recruitment freeze was in place throughout the reporting period. Late in the reporting year the Media Manager announced her intention to resign to take up alternative employment interstate. Despite the unquestioned value of a capable Media and Public Relations Unit, it has remained unstaffed in order to help NSWALC survive the operational funding shortage.

The formation of the Unit was made in response to an identified need to better manage media issues - both positive and negative. With the joint aims of improving the organisation's profile as well as facilitating improved communication with the broader community and also within the Land Council network, the Media Unit has an important role in the ongoing development of NSWALC, and it is expected that the Media Manager's position will be among the first to be filled once NSWALC's operating budget is restored to something like its former level.

The Media Unit's functions included:

- Monitoring of Indigenous issues in the media
- Responding to daily media inquiries
- Responding to requests for information
- from community and government bodies
- Liaising with community and government organisations
- Providing media advice and briefings for Councillors and key staff
- Initiating positive stories
- Responding to negative reports
- Organising events and promotional activities
- Publishing a quarterly magazine and promotional brochures and posters
- Publishing and updating NSWALC website and information sheets
- Assisting NSWALC Units with promotional activities and publications

Human Resources Unit

The Human Resources Unit was established to provide an extensive range of services to internal staff and Councillors and to Regional & Local Aboriginal Land Councils.

Within NSWALC, the Unit is responsible for all matters relating to personnel functions and Occupational Health & Safety with constant changes requiring the Unit's continued awareness and capacity to adapt to new requirements.



In the normal course of events, recruitment and selection of staff is a critical function of the Unit (temporarily restricted to Branch Office recruitment during the current reporting period due to Council's staffing freeze) as is the accurate maintenance of all staff and establishment records, conducting performance appraisals, counselling and the processing of all conditions of employment.

The Unit provides advice to Management and Council on new and emerging issues to ensure that NSWALC is informed and is proactive in dealing with change particularly, in the area of industrial and employee relations.

During the reporting period, the Unit was involved in negotiations with staff and their union over implementation of the corporate downsizing necessitated by the financial restrictions being experienced by NSWALC. To meet the required reduction targets, a combination of voluntary redundancy, natural attrition and redeployment was utilised, with an overall decrease of 17 staff during the reporting period.

Training & Development Unit

One of the major responsibilities of NSWALC is the provision of an extensive range of Training and Development opportunities to staff and management of NSWALC and to Local and Regional Aboriginal Land Councils. Training & Development needs are constantly analysed and reviewed to ensure client needs are being met with the introduction of new or modified courses and programs.

Regrettably, Training & Development for all staff has been curtailed due to financial constraints and the Unit has not been functioning for the greater part of the reporting period. It is a high priority for normal Training & development activities to re-commence as soon as it is possible to do so.



Land Rights Unit

Many of the functions of the Land Rights Unit were subsumed into two new areas during the previous reporting year - the Land Council Services Unit and the Strategic Planning and Policy Unit. The Legal Services area of the Land Rights Unit has been wound down and the one remaining of the former three lawyers still on staff now reports direct to the CEO. Processing of new claims and pursuit of outstanding ones remain core functions of the LRU. See below for details.

The Land Council Services Unit



The results of an organisational restructure conducted during 2000/2001 led to the creation of this Unit. Consistent with the focus on providing a range of support services to LALCs, the Land Council Services Unit incorporates the functions of the former Land Rights Unit and the former Field Liaison Unit. Despite severe cut backs to NSWALC Head Office staffing, the Land Council Services Unit remained substantially unchanged during the reporting period, with no reduction in actual staffing levels.

Ever since the inception of the Land Rights Act, the centre of NSWALC's operations has been the support of LALCs in their pursuit of legitimate land rights claims. For many years, the Unit has also sought to have the large number of unresolved claims determined by Government. The Unit provides technical support and assistance to LALCs in lodging claims under the ALRA and has worked hard during the reporting period to produce a set of procedural guidelines to improve LALC accountability and procedural effectiveness.

It has also been responsible over a number of years for overseeing the Ancestral Remains Project whereby research was conducted and proper procedures put in place to repatriate ancient skeletal remains and cultural material held in museums, private collections and other institutions. When invited, NSWALC negotiates on behalf of and alongside of LALCs to achieve a return of remains for reburial and handover of artefacts to the Aboriginal communities from which they were taken.

Strategic Planning & Policy Unit

A new unit was created at NSWALC during the previous reporting period. The structure of the unit was designed to:

- Provide policy and research advice to Council and the CEO
- To monitor and advise on parliamentary legislation
- To promote the rights and interests of Aboriginal people and communities in both private and public arenas
- Promote the functions of the NSWALC through promotions, advisory committees and conferences, and
- Provide support and advice to the local and regional land councils.



The Unit was one of three that reported directly to the CEO. The Unit assumed responsibility for land management issues affecting Aboriginal lands, including Native Vegetation, Salinity, Water Catchment and Forestry. It was broadly responsible for ensuring that NSWALC's interests in emerging areas such as water rights and fishing rights were protected and that NSWALC made an informed contribution to the ongoing debate of how to preserve the sustainability of these precious resources and, in that context, how rights are to be assigned into the future.

Regrettably, all but one position in the Unit has been vacated through natural attrition - staff were not replaced owing to the Head Office staff freeze introduced by Council in response to the extent of the financial problems encountered during the reporting period.

Legal Services Unit

The Legal Services Unit (LSU) came into being in January 2002 as a discrete entity. Formerly part of the Land Rights Unit, the LSU was to not only continue the work previously undertaken by legal officers working in the Land Rights Unit (briefing barristers on significant Land Claims and assisting LALCs to decide whether or not to pursue a particular claim), but was also to provide legal services more strategically to the CEO and Council. The plan, therefore, was that as a dedicated Unit, the LSU would have been capable of providing better managed, comprehensive legal services both to NSWALC and to various Regional and Local Aboriginal Land Councils within NSW.

When fully staffed, the Unit was able to:

- manage internally a higher number of legal matters (hence reducing the reliance on and cost of an array of barristers and solicitors);
- provide closer management and supervision of matters briefed out (to reduce the incidence of double handling and unnecessary duplication);
- monitor/oversee all NSWALC legal issues; and
- deal with a broader range of legal issues by virtue of acquired expertise in a wider field of legal experience.

Prior to the establishment of the LSU, various units engaged legal practitioners independently of the Legal Officers. There were numerous problems arising from obtaining advice in such an ad hoc fashion: duplication of (or conflict with) advice already obtained; legal costs not properly negotiated; advice being retained by one officer and not being made available to other staff or Council; inappropriate selection of legal practitioners with insufficient expertise on the particular point of law in question; no central conduit for managing the growing in-house legal knowledge of NSWALC.

However, the financial problems facing Council required hard decisions and the Legal Unit was wound back, presently to a single Principal Legal Officer, with a view to investigating outsourcing

Legal work to a single reputable firm of suitably experienced lawyers.

During the earlier part of the reporting period, the LSU was staffed by a Managing Solicitor and 2 legal officers, supported by an administrative officer. All matters of concern to Council were attended to in-house and substantial savings were realised via having competent in-house lawyers who either acted directly or briefed Barristers as appropriate to deal with NSWALC business. Currently, only the Principal Legal Officer and support person remain.

The Principal Legal Officer currently reports directly to the CEO.

Internal Audit

The Council established the Internal Audit Section in May 1991 to provide independent management oriented advice to Council and management on accounting and audit issues. It conducts regular appraisals of the adequacy of and compliance with the system of internal control, reviews operations and programs, and ascertains whether results are consistent with established objectives and goals. Internal Audit Section reports to the Audit Committee, which is made up of Council Office Bearers and senior NSWALC staff representatives. Internal Audit is a managerial control, which functions by measuring the evaluating the effectiveness of managerial processes. The Audit Committee met three times in the 9 months to end June 2003.



The Audit Committee

The Audit Committee is made up of the three Office Bearers, the CEO and the Manager of the Internal Audit Section. The Auditor General's representatives and NSWALC senior staff act as observers and advisers. The Audit Committee meetings consider and action reports prepared and submitted to management on all audits undertaken in accordance with the audit plan. The Audit Committee provides a means of attention being focused on recurring problems and believes that emphasis should be placed on working with Management to improve management systems and procedures. The Audit Committee also seeks to encourage positive and open relationships with other authorities that have responsibilities in relation to the complaints process or legal compliance. It has encouraged dialogue and cooperation with organisations such as the Ombudsman, the ICAC, the Department of Aboriginal Affairs and the Minister's Office, the Police and the Audit Office of NSW.

Following the Hawkless review of staffing, the function of Internal Audit was recommended for outsourcing. One position of the three has been vacated by retirement (invalidity) and the two remaining ones are likely to become redundant in the near future.

The Accounts Unit



The Accounts Unit deals with all financial reports to management and also looks after the debtors and creditors of NSWALC. The Unit also assists branches and locals with accounts queries and allocations to LALCs. Accounts section also deals with grants including funeral assistance to

the Aboriginal community in NSW as per council approval. It forms a discrete part of the Financial Operations area headed by the Manager, Financial Operations.

Payroll Unit

A discrete Payroll Unit was established to ensure that data from the new EPMS was used directly to determine necessary payroll variations due to unpaid leave or unaccounted absences. It remains staffed under the new structure.

Administration and Corporate Services

Corporate functions such as property management, fleet, purchasing, reception and IT support are coordinated through the Administration and Corporate Services area.



This area has carried prime responsibility during the reporting year for rollout of the Wide Area Network (WAN), currently being extended to all Branch Offices, and also for the commercial rental of Parramatta Office. It has been of considerable concern to Council that the largest part of the building at 33 Argyle Street has remained vacant since NSWALC staff were consolidated on the 4th floor almost twelve months ago, another victim of the commercial property oversupply affecting the Parramatta area.

Culture & Heritage Unit

With responsibility for preservation of Aboriginal culture & heritage, this Unit was formerly part of the Land Rights Unit but will henceforth operate, when funded, as a separate entity within NSWALC. In the past, the Unit has been involved in anthropological research to determine the most accurate identity of ancestral remains and to arrange with the relevant LALC for repatriation and reburial.





2002 - 2003
Review of Operations

Review of Operations

The various operational areas of the Council conduct regular internal reviews of their operations, as well as being subject to external review by a range of bodies. The following is a summary of major business items transacted during the reporting period.

Achievements in Media & Public Relations

The departure of our Media Manager late in the reporting year and the financial constraints which prevented a timely replacement have adversely impacted on NSWALC's ability to respond to media matters and removed to a large degree the capacity to go on the front foot in relation to identifying and commenting on issues that affect Aboriginal people in NSW.

For the most part of the reporting period, however, the Media Unit continued to function, supporting a range of events at State, Regional and Local levels.

Public Events and sponsorship organised through the Media and Public Relations Unit in the past 9 months include:

- Sponsorship of Survival Day
- Announcement of the first NSWALC Freddy Fricke Scholarship winners
- Participation in community NAIDOC events with NSWALC information and merchandise stalls
- Sponsorship through merchandise donations: Koori Radio - 93.7FM 2LND (Too Live n Deadly) , Deadly Vibe Rugby Sevens Team, 3 on 3 Basketball competition.



Issues attracting significant media coverage:

- Opening of the Eleanor Duncan Aboriginal Centre by the Health Minister
- Signing of the Service Delivery Partnership Agreement by NSWALC, NSW Government and ATSIC.
- Election of three Aboriginal people to LGA executive, of whom two were NSWALC councillors (the other was Warren Mundine)
- Deputy Premier to join Aboriginal leaders at Survival Day - 25 January 2003
- Mary G to headline at Survival Day concert
- Troy Casser-Daly signs on for Survival Day concert/nung development deal
- South African Leaders urge: Get involved in Politics
- Interim CEO appointed 12 December 2002
- Visit to the UN by Councillor Veronica Graf
- Amendments to the NSW Aboriginal Land Rights Act (finally promulgated on 20 October 2002)

NSWALC Website

The NSWALC website went live in June 2002 and feedback has been particularly good from Government organisations, educators, students and the media, who appreciate having 24 hour access to information about the Land Council. During the current reporting period, we averaged 88 visits a day with an average of over 1300 hits (or pages visited) per day. The website is available at www.alc.org.au. Only limited maintenance and updating has been performed during the latter part of the reporting period owing to budgetary constraints.

Information Packs

Since last year's annual report, the Unit has distributed a further 450 information packs to schools, community groups, libraries and government agencies. The packs consist of up to eight different fact sheets and can be compiled according to the target market, whether that be media, high school students or tertiary students or general members of the public. Three hundred

kits were sent on request to the State Education Department and distributed to all Aboriginal Studies teachers in high schools around the State.

Pen-Wurru

The magazine has been a great success in communicating both NSWALC news and "good news" stories around the NSWALC membership, as well as to the general public, however, there were no issues during the reporting period due to budgetary constraints. The magazine was previously distributed to all LALCs, RALCs, libraries around Australia, relevant government departments and other Aboriginal organisations within NSW.



Freddy Fricke Scholarship

Founding benefactor, the late Freddy Fricke bequeathed his Bondi Junction home to NSWALC for the purpose of establishing a fund to provide a lasting benefit to the Aboriginal people of NSW. NSWALC determined to use the bequest to fund a scholarship scheme to help train Aboriginal people in business. A major public relations effort was overseen by the Media and Public Relations Unit to ensure that the business community, the general public and the potential beneficiaries were all made aware of the scholarship scheme. Launched with the help of Patrons Kathryn Greiner and Marcus Einfeld, the scheme has already attracted substantial tax-deductible donations from Government and Business, boosting its capacity to fund scholarships for worthy applicants.

The first three successful scholarship holders were welcomed to the program. All are enrolled in undergraduate programs at leading Sydney Universities.

Publicity Materials

Apart from the NSWALC t-shirts, hats, key-rings

and badges produced for Survival Day, the Media Unit has been involved with producing stickers and balloons for children, posters for the NSW Freddy Fricke Scholarship and assisting the Land Council Services Unit with calendar desk pad production.

Some relatively low-key celebrations were held during Survival Day to mark the 20th anniversary of Land Rights in NSW.

Achievements in Human Resources

There were several major achievements by the Human Relations Unit during the reporting period:

NSWALC Staff Award

Following extensive negotiations between the NSWALC and the Public Service Association & Professional Officers Association Amalgamation Union of NSW, the NSW Staff Award 2002 was ratified by the NSW Industrial Relations Commission on 17 February 2003.

This Award was made as first Award following the passing and proclamation on 25 October 2002 of the Aboriginal Land Rights Amendment Act 2001 (NSW) and was effective from 25 October 2002. The Award was made as reflective of the current conditions of employment as agreed between the two parties taking into account NSWALC's transition from the public sector to the private sector.



The Award now provides NSWALC and staff with a formal agreement on conditions of employment which will be the basis for future negotiations as well as providing for a formal mechanism for the parties to negotiate on an appropriate wage structure and an adjustment to wages and salaries.

Recreation Leave Policy

The issue of staff accruing excessive recreation leave entitlements has been identified in a number of Audit Reports and Findings. While the NSWALC had attempted to maintain recreation leave levels to an acceptable level there were still instances of staff retaining a balance above the recommended limit.

As a result 2003 saw the development and implementation of a Recreation Leave Policy specifically designed to address these issues. The Policy enforced the NSWALC's commitment that recreation leave will be managed effectively and will ensure that the taking and accrual of all recreation leave is subject to NSWALC convenience, operational requirements while consideration will also be given to the personal preferences of staff.

The implementation and adherence to this Policy will ensure that staff of NSWALC maintain their leave entitlements at acceptable levels.

Chief Executive Officer Position

The vacancy of the position of Chief Executive Officer and the amendments to the NSW Aboriginal Land Rights Act, 1983 provided the opportunity and basis for a comprehensive review of the Position Description and an evaluation of the position based on that review. This was completed during early 2003 with assistance provided by an independent accredited consultant.

The Human Resources Unit was also instrumental in the engagement and continuing liaison with an external Executive Search Agency appointed to undertake a comprehensive recruitment process for the position, resulting in the retention on contract of a new permanent CEO from 1 September 2003.

Achievements In Occupational Health & Safety, Workers' Compensation & Rehabilitation

Policies, procedures and programs which had been developed and approved in the previous reporting period, continued to be implemented. In particular, there were several initiatives undertaken by the OH&S&R coordinator to demonstrate NSWALC's capacity and intent for compliance with the NSW Occupational Health & Safety Act 2000 and the Occupational Health & Safety Regulation 2001, which came into effect from 1 September 2001.

Amendments to the Workers' Compensation legislation continued to be addressed through implementation of appropriate policies, procedures and training programs.

- (c) It is fitting to acknowledge the importance which land has for Aborigines and the need for Aborigines of land
- (d) It is accepted that as a result of past government decisions the amount of land set aside for Aborigines has been progressively reduced without compensation."

Defining the Aboriginal Land Rights Act

The right to claim land under the Aboriginal Land Rights Act (NSW) is based on the most fundamental rights of the Aboriginal community - the right to ownership of their own land in Australia, from which they were dispossessed by white settlement. Aboriginal people have been able to make land claims since the commencement of the Act in 1983. Land councils lodge land claims over NSW Crown land, which are then determined by the relevant Minister or on appeal through the NSW legal system.

Achievements in Staff Training & Development

The Training & Development Unit had a very quiet year, with a combination of budget and staff cuts rendering the bulk of the normal training schedule inoperative for the best part of the year. A number of programs were completed, but no new intakes were possible and no remote area training delivery was undertaken due to the restrictions to staff travel implemented by management.

Achievements of the Land Rights Unit

The passage of the Aboriginal Land Rights Act (NSW) 1983 by the Wran Government marked a watershed in recent Aboriginal history. Quoting from the Preamble, we see the essential intent of the Act:

"Whereas:

- (a) Land in the state of New South Wales was owned and occupied by Aborigines
- (b) Land is of spiritual, social, cultural and economic importance to Aborigines



Under the Act, claimable Crown land is defined as:

- (a) Land able to be lawfully sold or leased, or reserved or dedicated for any purpose under the Crown Lands Consolidation Act 1913 or the Western Lands Act 1901
- (b) Land that is not lawfully used or occupied
- (c) Lands which are not, in the opinion of the Minister administering the Crown Lands Act, needed or likely to be needed as residential lands.
- (d) Lands which are not needed or likely to be needed for an essential public purpose.
- (e) Lands that are not subject of an application for a determination of Native Title or subject of an approved determination of Native Title.

If land satisfies the above tests, it is granted to the claimant land council. Land councils have a right of appeal against the Minister's decision if a claim is refused. The appeal is heard by the NSW Land and Environment Court.

The Function and Purpose of Land Claims

The making of a claim and the granting of land is now the sole remaining form of compensation for dispossession of land available under the Act. This follows the sunset of a provision of the Act which for 15 years made available to NSWALC an amount equivalent to 7.5 per cent of commercial land tax collected in NSW, of which half has been invested on behalf of the Aboriginal peoples of this state to help secure our economic, social and cultural future.

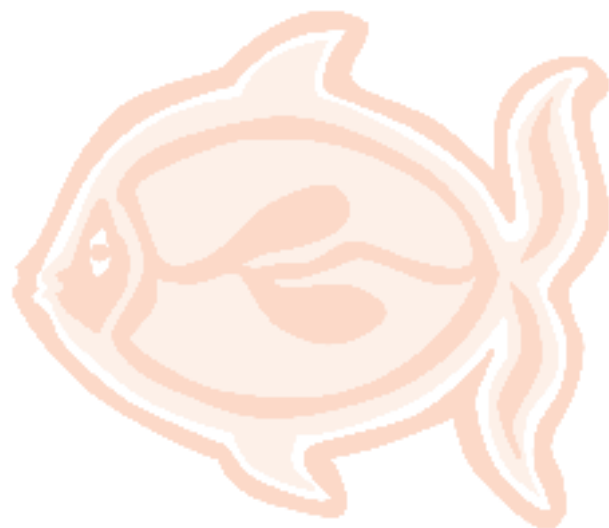
Claims Progress

Over the period 1983 to end June 2003 there have been 2060 claims land granted out of a total lodgement of 6985, with more than 3350 declined. The total area of these granted properties comprises 78,487 hectares with an estimated value of \$686,002,108.

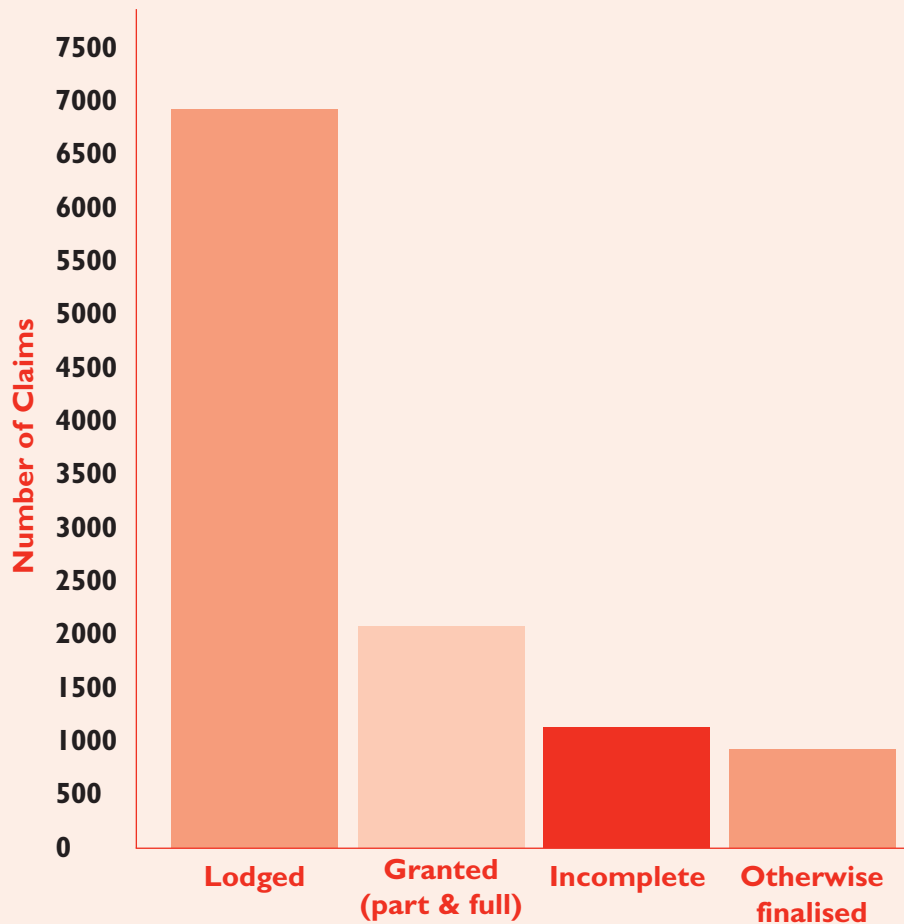
Even though the preamble of the Aboriginal Land Rights Act 1983 states that land in New South Wales was traditionally owned and occupied by Aborigines and that land set aside for Aborigines has been progressively reduced without compensation, there is still only a 30 per cent

success rate in reclaiming Crown land from the Government.

In the reporting period 2002/2003, statistics show that a total of 135 claims were lodged. As at 30 June 2003, 1147 claims were still outstanding (up slightly from 1139 last year) but with 66 of these outstanding claims having been lodged with the Minister before June 1990.



Aboriginal Land Claims – Statistical Breakdown (as at 30 September 2002)



Functions and Responsibilities of the Land Rights Unit

The statutory responsibilities carried out by the LRU under the Act are:

- (a) Land Claims;
- (b) Disposal, leasing, purchasing and changing the use of LALC land pursuant to S40D, S40B, Reg 24 & S40B of the ALR Act, respectively;
- (c) NSWALC Policy relating to property matters within the ALRA regarding LALCs, RALCs and NSWALC;
- (d) Management & disposal of NSWALC properties including transfers to LALCs and investment properties;
- (e) Safekeeping of the Common Seal;
- (f) Rates policy including exemptions and S44A debts;
- (g) Policy matters relating to interaction with Federal, State, and Local Government;
- (h) Interaction between Land Rights and Native Title issues;
- (i) Monitoring & advising the Council on legislative change;
- (j) Planning law issues on LALC properties and where proposed development affects Aboriginal people;
- (k) Protection of Aboriginal Cultural Heritage matters and policy;
- (l) Areas of NSW not constituted by LALCs;
- (m) Policy and representation regarding Government advisory committees;
- (n) Briefing external professionals such as Solicitors and ensuring co-ordination with LALCs;
- (o) Natural resource issues such as mining, hunting & gathering agreements, fishing rights and policy regarding forestry issues;
- (p) NSWALC housing policy (including the Housing disposal Project) and involvement with the Aboriginal Housing Office;

- (q) Assistance with negotiations under the Aboriginal Ownership of National Park provisions of the National Park & Wildlife Act;
- (r) Applying for external grants for specific projects including ILC, Regional Forest Agreement process, Indigenous protected areas and Landcare;
- (s) Providing advice to LALCs.

Many of these functions are now carried out by the newly created Strategic Planning & Policy Unit, the Legal Service Unit and the Land Council Support Unit.

Freedom of Information Requests

There were no requests made under FOI during the reporting period.

Rates Exemption

Rates exemption applications for vacant land owned by Local Aboriginal Land Councils have been accepted by the Minister for Aboriginal Affairs, Dr Andrew Refshauge. The Minister has a set of guidelines for Section 43, NSW Aboriginal Land Rights Act, (1983) in order to apply for rates exemption on vacant land. These guidelines assist in the determination of applications by Local Aboriginal Land Councils for vacant land claimed through the NSW Aboriginal Land Rights Act.

The amendments to the NSW Aboriginal Land Rights Act, (1983) and Regulations included the introduction of rates exemption on former Aboriginal Reserves. All former Aboriginal Reserves are listed in Schedule I under Land Exempt from certain rates and charges. Although this list was to be inclusive of all former Aboriginal Reserves, several land parcels have been left off the list which will hopefully be modified to include all former Reserves in the very near future.

77 Local Aboriginal Land Councils have applied for rates exemption under the new guidelines since the guidelines introduction in May 2000.

577 determinations have been made by the Minister to date granting rates exemption to the value of approximately \$840,000 per year for some 1,167 parcels of land across NSW.

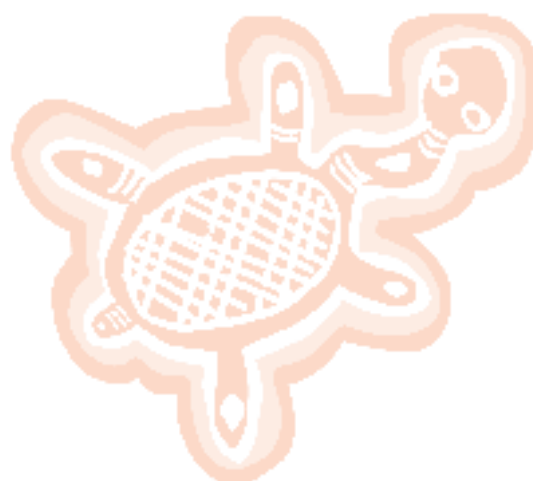
Exemptions may only be claimed for a maximum period of five years at this stage, however, at that time Local Aboriginal Land Councils may re-apply.

The percentage of applications for rates exemption processed by the Minister is just under 50 per cent. This means that slightly more than half of applications received (some dating back two years or more) have not been determined by the Minister. The progress of exemptions for many Local Aboriginal Land Councils is far too slow, and NSWALC is continuing to place pressure on the Department to "fast track" the processing of these applications.

NSWALC strongly encourages all Local Aboriginal Land Councils to make application for rates exemption on all vacant land to assist in relieving at least some of the unfair burden of Local Government rates. As former Crown Land and prior to the introduction of the NSW Aboriginal Land Rights Act, (1983), Local Governments were unable to charge rates, yet once title passes to a LALC, many Local Government Authorities have opportunistically invoiced for rates even though the land is not serviced and non-income producing.

The Aboriginal Land Rights Amendment Act (2001) contains a schedule of all Aboriginal Land in NSW which is to be exempted from rates and this potentially offered some reassurance for those LALC members who have made the effort to seek exemptions in the past. However, in a breathtaking about face, Minister Refshauge announced that he would rescind the provisions of the Legislation because they might adversely impact on Local Government revenues.

It remains to be seen whether the continued exemption of non-performing Aboriginal Land is to become an election issue, and whether the interests of Local Councils, which in many cases received windfall gains from the levying of rates on former Commonwealth property as soon as they became Aboriginal property, are to prevail over those of the original inhabitants who must now suffer the burden of an inequitable and unaffordable tax regime on hard-won land claims. Where is the justice in that?



Reports to Council

A Report from the Land Rights Unit is generally presented to every Council Meeting. Inclusions in these reports during the 2002/2003 reporting period consisted of:

- 6 x Section 40B Submissions (to do with lease back and use of land owned by LALCs)
- 12 x Section 40D Submissions (to do with disposal of land by LALCs)

It should be noted that the Aboriginal Land Rights Amendment Act (2001) allows for the acquisition, lease and disposal of LALC land without the need for Ministerial approval, but provided these things are done within a set of guidelines prescribed in the legislation.

Achievements of the Culture & Heritage Unit

The Culture & Heritage Unit remained inoperative and unstaffed during the reporting period and the options for funding a resumption of its work will be investigated during the coming financial year.

Achievements by the Strategic Planning & Policy Unit

The Strategic Planning & Policy Unit was earmarked for downsizing during an independent corporate review and as a consequence suffered a series of staff losses as the worst case scenario (of abolition or outsourcing of functions) was all too readily anticipated by SPPU staff.

Nevertheless, in the time it was operating, SPPU stamped NSWALC as a player in a wide range of committee activities impacting on all aspects of Aboriginal land rights, specifically:

Forestry

Fishing, and

Water.



Partnerships & Policy Development

NSW Service Delivery Agreement

In November 2002, the Premier Bob Carr together with the NSWALC Executive and the NSW ATSIC Commissioners signed the NSW Service Delivery Agreement.

The Agreement (formally known as the NSW Service Delivery Partnership Agreement) is administered on NSWALC's behalf by the SPPU. It has two purposes, namely:

1. To commit to achieve a standard of living for Aboriginal peoples in New South Wales that is equal to that of the average of the rest of the State's population, through implementation of measurable improvements in the quality of life of Aboriginal people in their communities by a combination of their own initiatives and by public policies and programs of the NSW State Government; and
2. To further enhance and consolidate practical recognition of the Indigenous Rights of the Aboriginal peoples of NSW:

- a) Right to Autonomy or Self Determination: The right of Indigenous peoples to determine the way in which they live and control their social, economic and political development
- b) Right of Peoplehood or Identity: The right of Indigenous peoples to exist as distinct peoples with distinct cultures
- c) Right to Territory and Resource: The right of Indigenous peoples to land entitlement, to the resources of that land, and to the use of those resources.

The Parties are committed to the ongoing performance improvement of Aboriginal organisations, and the ongoing development of the competencies (knowledge, skills, attributes) of their managers and leaders, so that they both can fulfil the opportunities afforded through the Agreement.

SPPU contributed significantly in the drafting of the Agreement and facilitated meetings between ATSIC and NSWALC representatives to negotiate the final document.



Signatories to the historic NSW Service Delivery Partnership Agreement

The Service Delivery Agreement is principally administered by the Premier's Department and The Department of Aboriginal Affairs (DAA) which involves input, direction and determines responsibility by the lead agencies. Since the signing of the Agreement, SPPU has continued to play a critical role in bringing the objectives of the Agreement to fruition, primarily through membership on the a Senior Officers Group that is Co-chaired by DAA and the Premier's and has representation from key government departments and Aboriginal agencies. The Senior Officers Group has the task of collectively researching policy and practical mechanisms to implement the objectives and principles of the Agreement. This has involved formulating a statewide matrix of current service delivery programs and options to Aboriginal people and communities, terms of reference and membership of the Partnership Team and identifying the capacity of agencies to best deliver services to the NSW Aboriginal community.

Indigenous Fisheries Strategy

In August 2002, SPPU entered into an administrative partnership with NSW Fisheries to conduct statewide Aboriginal community consultations as part of the release of the Indigenous Fisheries Strategy (IFS). The consultations were the final stage of seven years of research and development of the IFS. SPPU's participation in the consultation process included organising travel assistance for attending community members, venues and catering for the meetings.

Additionally, SPPU wrote and submitted an extensive submission to NSW Fisheries which argued for social, cultural and economic fishing rights for the Aboriginal people of NSW. The SPPU submission later formed the basis of the IFS Implementation Plan which adopted four key platforms identified by SPPU that had to be incorporated into and to remain central in future NSW Fisheries policy and planning.

The platforms are:

- 1 Respect: A philosophic and practical recognition of the traditional and cultural fishing heritage of Aboriginal people and communities, including their access to and use of the fisheries resource

- 2 Engagement: Involvement of Aboriginal communities with management and custodianship of resources in keeping with their traditional cultural roles
- 3 Social and Economic Development: Aboriginal people and communities having access to economic opportunities in established and emerging fishing industries
- 4 Employment: Aboriginal people and communities accessing employment and training opportunities in resource management and in the fishing and aquaculture industry

Since implementation of the IFS, SPPU has maintained an active role on the IFS Working Group which provides advice, direction to NSW Fisheries and is also now an integral part of its community endorsement strategies.

Boomanulla - Speaking for Country

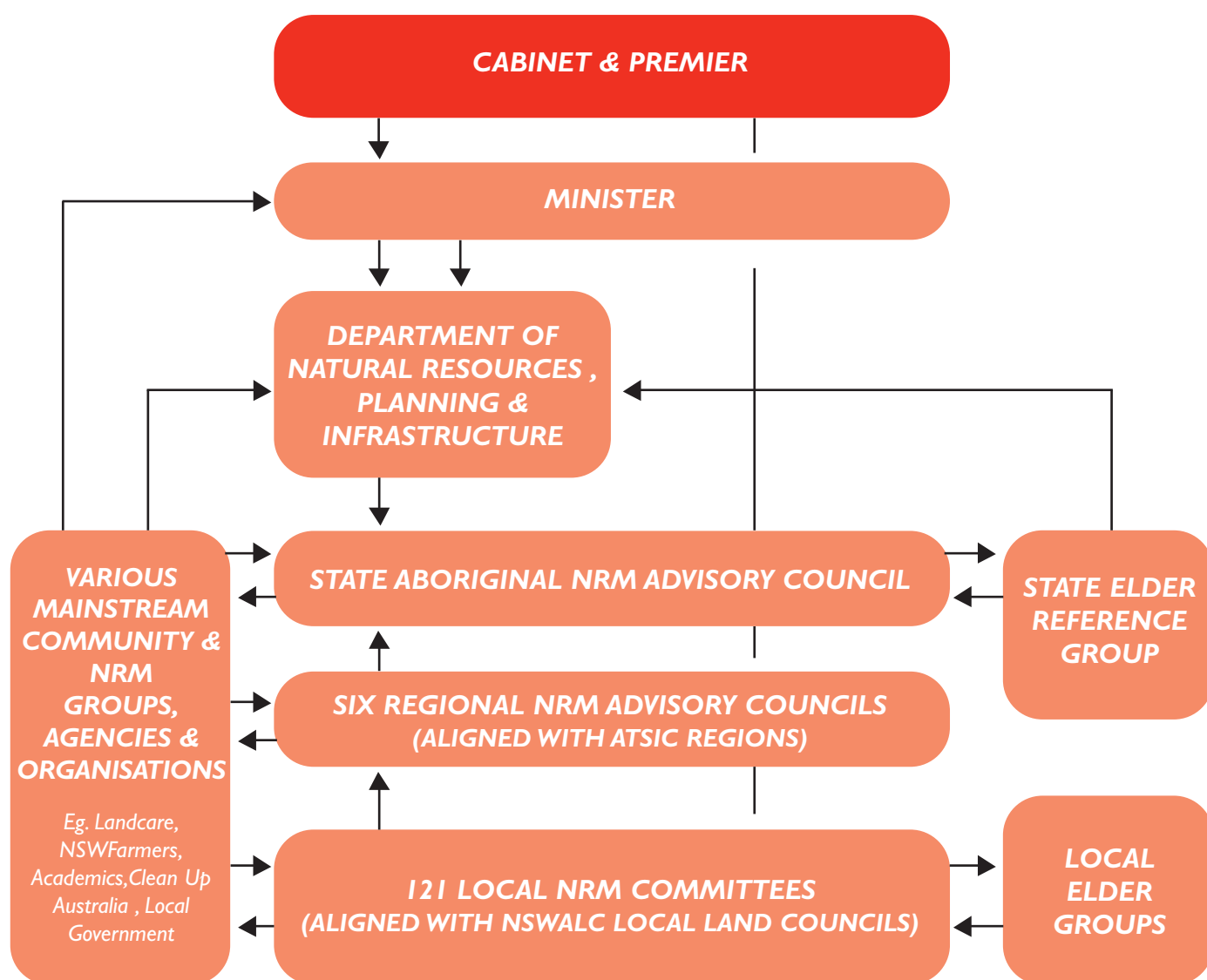
In March 2002, a conference jointly sponsored by the NSW Department of Land and Water (DLWC) and the New South Wales Aboriginal Land Council (NSWALC) brought together 55 Aboriginal natural resource representatives to discuss the future of Natural Resource Management (NRM) in NSW. The conference was a national milestone in bringing such a vast number of Aboriginal natural resource experts and Aboriginal government advisory council members together for the first time.

Culminating from broad discussion of many environmental, social, economic and political issues, a statement named the "Boomanulla Statement - Speaking for Country" was produced. The Boomanulla Statement (hereafter Boomanulla) fundamentally calls on government to make serious and expedient moves to manage natural resources holistically, as opposed to the current system of management and advice which is fragmented and widely operates in isolation and at times in marked conflict.

SPPU has promoted Boomanulla and has gained endorsement from various government departments and meetings are scheduled with the Minister for Sustainable Natural Resources to further the development of the Boomanulla recommendations and proposed models for implementation. A proposed model developed by SPPU is outlined below but will need to be endorsed formally by delegates in future consultation.

Diagram 1

Proposed Aboriginal Natural Resource Management (NRM) Advisory Council System



By drawing on the combined networks and resources of NSWALC and ATSIC (the two peak Aboriginal bodies in NSW) the model is proposed to reach optimum Aboriginal involvement in NRM that connects government and mainstream agencies, organisations and communities.

State Aboriginal NRM Advisory Council - This council is to formulate and prioritise NRM issues, projects and policy and to provide advice to government.

Furthermore this body has the responsibility to report down to the regional network of NRM councils.

Members on this council will be drawn from the regional councils.

All work and decisions of this council must be reviewed and endorsed by a select State Elder group.

Proposed number of members: 20

Regional Aboriginal Advisory Councils - Six Regional NRM Advisory Councils aligned with ATSIC regions. These councils will provide high level regional advice and information to the State Aboriginal NRM Advisory Council.

Furthermore this body has the responsibility to report down to the local network of NRM committees.

Members on these councils will be drawn from the local committees.

Proposed Number of members: 15

Local NRM Committees - 120 Local committees aligned to the NSWALC Local Land Councils. Whilst these committees will utilise the NSWALC infrastructure, members will not need to be NSWALC members to be involved on this local level of NRM participation.

Local Committees will provide localised information and advice to the regional councils for consideration and action in a broader strategy of NRM.

Proposed number of members: Committees on the local level should have an open door policy.

Elder Groups - Local Elders and/or Elder groups

will need to be identified to provide NRM advice and policy endorsement to local committees.

It will be the responsibility of the Local committees to identify Elders and seek their advice and endorsement.

State Elder Group - For all policy and strategies conducted by the State Aboriginal NRM Advisory Council Elder endorsement will be needed. This will either be achieved by forming a statewide representative Elder group or it will be the responsibility of the State body to provide information to Elders groups across the state for endorsement.

Ministers - Once decisions have been made on the State level, advice will be given to the appropriate NRM Ministers for action.

The Minister will delegate actions to the relevant departments to implement strategies.

Where appropriate, information will be provided to Cabinet and the Premier for endorsement and action.

NSW Government Departments - NRM-related Government departments will take responsibility for action of all recommendations and strategies utilising Aboriginal input and labour wherever possible.

The Government departments must also report back to the State Aboriginal NRM Advisory Council and gain elder endorsement of any plans and actions they devise to implement strategies and actions.

Mainstream NRM Groups et al - Connecting all NRM in NSW is the ultimate goal of Boomanulla. As a result, the connections, including support and valuable support will need to be fostered and developed between mainstream NRM groups and the Aboriginal NRM council system and communities.

Participation & Promotion

SPPU has the responsibility to represent NSWALC on a number of committees, working groups and various forums in which Aboriginal interests and issues need to be duly considered and incorporated in policy development. Although the unit endeavours diligently to participate in all of these forums, it must concentrate its efforts on a number of key committees and working groups to ensure the interests and needs of Aboriginal people of NSW are heard and delivered to the relevant decision makers. During the reporting period SPPU staff had formal membership on the following groups:

- Resource and Conservation Advisory Committee
- NSW Landcare Working Group
- Native Vegetation Advisory Council
- Water Advisory Committee
- Indigenous Fisheries Working Group
- Natural Heritage Trust Assessment Panel
- NSW Service Delivery Agreement Senior Officer's Group

Additionally, SPPU has attended a number of meetings, forums, panels and consultations usually by invitation, with the capacity to serve as Aboriginal representation. Such instances include:

- NSW Rural Fire Service Draft Bush Fire Environmental Assessment Code
- Minerals Council Cultural Heritage Assessment Protocol
- Murray-Darling Basin Community Advisory Committee - Community Forum on the Living Murray
- NSW Property Institute - NSW National Parks Cultural Heritage
- IPA2 Community Consultation Conference: Building Democracy or Manufacturing Compliance
- South West Queensland Traditional Owners Roundtable

- Qantas Employment Strategy
- McDonald's Employment Strategy
- NSW Fisheries Re-Stocking Strategy

SPPU involvement in the broad forums not only serve to provide input to specific issues under discussion, debate and development but has also consistently allowed SPPU staff to promote the objectives and function of NSWALC to a mainstream and often ill informed audience. It has become commonplace at forums for SPPU staff to inform and educate delegates from diverse backgrounds and sectors of communities about the NSWALC structure and purpose, and in particular determining the differences between "land rights" and "native title".

Community Development

Treaty

The current financial downturn affecting NSWALC has brought the "Talking Treaty" Community Discussion campaign to a standstill due to budgetary constraints. However, before cuts in spending were implemented, SPPU designed and produced important promotional material including two designs of stickers, an explanatory pamphlet, two poster designs, three large "Talking Treaty" banners and a comprehensive "Talking Treaty" video. The promotion material has distributed to all LALCs & RALCs and the wider Aboriginal community networks. As a result the chief aim of SPPU to promote and incite discussion and debate throughout the Aboriginal community about the prospect of a treaty and what it may mean to them has been achieved.

In hindsight, the postponement of the community discussions has presented NSWALC with an opportunity to re-evaluate its current position on the treaty campaign.



"In the mining industry we understand our business, but we don't always fully appreciate the perspective of Aboriginal communities."

(Bob Cameron, NSW Minerals Council)

During the previous reporting period, NSWALC and the NSW Minerals Council signed an historic "Protocol for Negotiation" covering mining and minerals exploration across New South Wales. This was the first such Protocol in existence within Australia and marks an important step toward improved relations between the Mining Industry and Traditional Owners.

The framework agreement sets out rules for negotiation between the two groups to give the mining industry in NSW greater certainty, while ensuring Aboriginal communities' rights as traditional owners are considered and respected on issues including agreement processes, mediation principles, compensation arrangements and any other matters the parties might agree to.

A working group has been established by NSWALC and NSWALC to manage and negotiate the protocol, but NSWALC input has fallen away owing to staff cutbacks.

It is vitally important that NSWALC continues to provide support to ATSIC at a National level. ATSIC is being invited to attend the consultations with NSWALC around NSW, but the delivery and discussion will be NSWALC's responsibility.

NSWALC and Native Title

In 1994 NSWALC was confirmed as the sole "representative Aboriginal/Torres Strait Islander representative body" gazetted under the Native Title Act for New South Wales. NSWALC has retained its status as the Native Title Representative Body (NTRB) since that time, although it must be noted that the recognition of all NTRBs was withdrawn in early 2000. NSWALC re-applied and was eventually successful in gaining re-recognition under the new requirements.

As mentioned elsewhere, NSWALC has now withdrawn from the role as NTRB but continues to work closely with the new entity, NSW Native Title Services Ltd.

Achievements of the Land Council Support Unit

This is a new Unit which has assumed several functions of the Land Rights Unit and most of those from the now defunct Field Liaison Unit (all except Complaints, which has gone to Internal Audit). Much of the work of the LCSU throughout the reporting period has been driven in anticipation of the proclamation of the ARL Amendment Act (2001), which eventually occurred on 25 October 2002. LCSU staff spent a great deal of time during the reporting period drawing up new administrative and reporting protocols to ensure that when the enhanced accountability requirements of the Amended Act were ratified, there would be no excuse for any LALC not to be prepared.

All the administrative paperwork to underpin the new legislative requirements has been drafted, including policy and program manuals, guidelines, reporting pro-forms, desktop planners, PC-based budget preparation and reporting tools, and model forms of correspondence from LALC to RALC and from RALC to NSWALC. All these tools are designed to help make compliance with the new grant application and acquittal processes as easy as possible.

The enormous amount of work to underpin a complete shift in accountability standards by LALCs has finally been completed and guidelines, systems, assessment protocols and clear and unequivocal rules are now in place.

With the recent reversal of fortunes over financial investments, it appears likely that 2004 will see the wholesale implementation of a structured system of funding and review, underpinned by standard reporting and recording formats and a simple assessment process to allow NSWALC's Branch Offices to determine (in the first instance) whether a LALC has breached the requirements of the Amendment Act.

By removing uncertainty, NSWALC hopes also to remove opportunity for inconsistent and conflicted handling of individual cases.

Achievements of the Administration and Corporate Area

The singular achievement of the Administration and Corporate Area during the reporting year was the elimination of the lengthy delays in processing Purchase Orders and in processing client invoices for payment, and hence, assisting in improvement of staff services. In addition,

- The securing of tenants for vacant floorspace at Parramatta Head Office
- Review of property management arrangements
- The rollout of a Wide Area Network (WAN) to many of the NSWALC Branch Offices, thereby allowing far superior business communication, and
- The devolution of Fleet acquisition from Head Office to Branch Offices, and the simultaneous move from purchase/resale to a lease base for approximately 50 business vehicles.





Achievements of the Legal Services Unit

In 2002 NSWALC's Legal Services Unit engaged 2 additional legal practitioners with several years experience gained in private practice and skills in, among other areas, commercial law, litigation and commercial property. The team comprised 3 legal practitioners (Philip Sutherland as General Counsel and solicitors Alicia Gray and Stephen Kuhn) and one clerical assistant (Mrs Betty Thoms). Immediate financial benefits saw the amount of money spent on legal fees paid to external retained lawyers greatly reduced from \$978,000 spent in the financial year ended 30 September 2002.

In-house lawyers operated an open-door policy and provided on-call legal and strategic advice and practical assistance to other units within NSWALC on all manner of issues on a

cost-effective basis emphasising in particular the holy grail of corporate governance. Within NSWALC the LSU provided advice from time to time to Council and individual councillors, the CEO, managers and other NSWALC staff.

Directly responsible to the CEO, the LSU's work is integral to NSWALC's core business. When involved in day-to-day management of legal and commercial matters at NSWALC, the LSU provided advice within NSWALC and beyond to Local Aboriginal Land Councils on a range of issues including (and not limited to) the recently amended Aboriginal Land Rights Act 1983 and Regulations, joint ventures, litigation, commercial negotiations, land claims, property transactions, and dealings with Commonwealth and State Government agencies.

NSWALC is the appointed consent authority under s 40D of the Aboriginal Land Rights Act and the LSU played an proactive role in advising NSWALC on whether or not to grant approvals to proposed disposals of land by LALCs while educating LALCs as far as possible within the confines of budgetary restraints and its statutory duties to exercise due diligence and obtain proper independent professional advice and valuations when entering into joint ventures with developers or disposing of land. The LSU was pre-eminent in protecting the interests of members of Koompahtoo LALC and securing the appointment of an investigator and subsequently an administrator in circumstances in which, among other things, land was disposed of in breach of the Aboriginal Land Rights Act.

One of the measures of the LSU's success is that it was quickly inundated with work far exceeding its capacity to service the workload indicating there is enormous demand for legal services within NSWALC and the network of approximately 120 Local Aboriginal Land Councils. The LSU frequently provided on-site legal and strategic advice to LALCs as consulted: for example, in negotiations with Landcom and water authorities - the drought and the relatively new Water Management Act 2000 have meant water rights are increasingly recognised as a valuable resource - in commercial transactions, in land claims and on the Aboriginal Land Rights Act.

More severe restrictions imposed on the LSU's budget, staff shortages and directions prohibiting travelling outside Sydney preventing its servicing Local Aboriginal Land Councils throughout the State as originally planned.

The LSU is represented on the Joint Reform Working Group, a sub-committee of the Council whose other members include the office-bearers of the Council, the Director-General of the Department of Aboriginal Affairs, senior officers from the Department and the Registrar appointed under the Aboriginal Land Rights Act.

Council imposed further cost-cutting measures in 2003 as part of its internal review of the Organisational Structure resulting in outsourcing NSWALC's legal work and the proposed closure of the LSU.

LALC property developments

The needs of the land council network has undergone considerable change over the last 19 years. One of the most notable and pleasing changes has been the increase in property ownership by Local Aboriginal Land Councils. As a result of this accumulation of property, many LALCs now require assistance with legal aspects of asset management. In particular, there is an increasing complexity associated with LALC property transactions. This shift means that the nature and focus of legal assistance required by the network has changed and hence requires a dramatic and immediate re-think by the LSU to deal with these emerging needs.

One area of asset management that has proven to be most problematic and time consuming for NSWALC staff is that of (proposed) property development such as joint ventures and the subsequent obligations upon both the LALC and NSWALC in relation to their respective responsibilities under Part 6 Division 4 of the Aboriginal Land Rights Act (NSW) 1983.

In response to this, the LSU submitted a brief to Council and at their meeting on the 30th April 2002, the NSWALC Council resolved to engage a planning consultant to help NSWALC create policies regarding the development of LALC land.



It is anticipated that the policy will go further than providing a safety net. In recognition of the fact that NSWALC is the peak body for Aboriginal people in NSW and as such needs to take a leadership and advisory role, the LSU is attempting to develop NSWALC's corporate

knowledge to guide LALCs in achieving "best practice" in terms of sustainable outcomes and help realise optimum results for the community from property development and management.

Legislative Reform

As part of the NSWALC plan to become more pro-active in the area of policy development, NSWALC has formed a Strategic Planning & Policy Unit (SPPU), the role and functions of which are discussed in more detail at elsewhere in this report. However, in essence it has been agreed by Council that all legislative reform and government policy that affects the interests of Aboriginal people in NSW, and in some instances nationally, should have a input from NSWALC, preferably via a formal written submission. And in our view, all submissions will require consideration and input from the LSU. The extent to which such consideration can be handled internally will depend on the existing expertise and capacity to respond within time.

Experience has demonstrated that time is the most critical issue. NSWALC needs to respond adequately in such developments. The recent amendments to the Aboriginal Land Rights Act are a good example. The LSU will endeavour to facilitate constructive and beneficial responses to these changes. It is anticipated that the LSU will work closely with other units in NSWALC such as the Land Council Services, Strategic Policy and Planning and the Media Unit to deliver the best outcomes. These units and the LSU will, with the help of the Media Unit, in turn consult with the Land Council network as appropriate so that real grass roots Aboriginal voices are heard in the corridors of power.

NSWALC will require a period of rebuilding once the financial troubles that flowed from the international stock market crash resulting from the September 2001 terrorist attacks on the United States World Trade Centre, are overcome. This will take time and a thorough examination of NSWALC's future priorities will determine the most appropriate structure for an improved policy capability.

Land Claims

During the reporting period, a significant series of land claims in the Nambucca Heads area were brought closer to final resolution. The claims,

which had been run over more than 7 years by the Nambucca Heads and Unkya LALCs with NSWALC support, saw a successful appeal in 1996 in the NSW Land & Environment Court against the initial rejection of the claims. This decision in turn led to negotiations over the next 6 years and culminated in a consent agreement in the Land & Environment Court on 18 December 2002.

As a result of the agreement, part of the land sought under the claims has been transferred in freehold title to Nambucca Heads LALC. The parties have entered into further negotiations for the remainder to be established as a National Park and a Nature Reserve held in title by the Nambucca and Unkya LALCs and leased back to the NSW Government.

National Park hand back

NSWALC has continued to assist a number of other LALCs during the reporting period to negotiate on the return of areas of National Park at Biamanga Gulaga, Mt Grenfell, Mt Yarawich and Stockton Bight.

Achievements in Financial Operations

The reporting period saw the completion of a number of improvements to the financial framework of the organisation. In a very tight fiscal environment, substantial savings were achieved through the strategic combining of funds management with advisory functions so that the entire portfolio was managed at a substantially lower cost than in previous years.

Staff cuts were made and all non-essential expenditure was either postponed or cancelled altogether.

The combined results of market improvements and tighter financial controls was an overall increase in the value of the Statutory Fund of some \$22m or 4.5 per cent (from \$487.8m to \$509.3m), with roughly half of this amount directly attributable to cost cutting.

Regrettably, a significant portion of the savings achieved by this tough cost cutting were consumed by the fees of the Government-appointed Investigator, the eventual cost of which ran to more than \$1 million.

Procedural checking and reconciliations were conducted regularly throughout the reporting period and a substantial backclaim of imputation credits (totalling some \$2.1m) was successfully received from the ATO.



The Accounts Unit operated a policy of 30 day account payments, with more than 95 per cent of properly rendered invoices paid on time under those widely advertised terms. Tighter financial controls meant that many invoices had to be supplemented with additional documentation and by the end of the reporting period, most clients had become informed of the minimum requirements to allow payment.

Achievements of the Internal Audit Unit

The activities of the Internal Audit Section in this reporting period included:

- Audits, reviews and projects conducted by the Section

The principal function of the Internal Audit Section is to issue recommendations to Council and management in audit reports. The aim of the recommendations is to improve internal controls, systems, procedures and the efficiency and effectiveness. The reports address the operations of the state, regional and local land councils. The audits included investigations into possible fraud and corruption issues, systems performance evaluations, and the provision of advice to Local Aboriginal Land Councils. Internal Audit advice assisted managers solve accounting and audit problems.

- Preparation of the approved annual Internal Audit Plan

The plan for the 2003 year included the audits of Branches, Head Office Sections, Regional and Local Aboriginal Land Councils and special projects.

- The further development of the Section's audit procedures and reporting and the training and development of audit staff

Staff development activities included training courses and on the job work experience. On the job training and extension of experience was designed to extend the knowledge and experience of officers within the Internal Audit Section. Technical development is an ongoing task undertaken to better assist management to improve procedures. Life long training is essential for efficient and up to date work practices.

- Review and examination of the complaints process

Internal Audit monitors progress in relation to the complaints and acts as a reviewer of the action undertaken. Many of the complaints were directed through the Independent Commission Against Corruption (ICAC) and are referred in some cases to Internal Audit for investigation or advice or are referred from NSWALC to ICAC as a result of audits conducted. The manager of Internal Audit also acts as the Coordinator under the Protected Disclosures Act.

- Information and audit advice to the Audit Committee

The Section provides on an ongoing basis information and audit advice to both the Council Members and Management on issues relating to the audit and operations of NSWALC and Regional and Local Aboriginal Land Councils. This is either in the form of formal written reports or discussions or interviews during or after the audits. Issues include the improvement of the presentation of financial reports and other Council records and advice on how to prevent errors or fraud. Internal Audit is pro-active in that advice can be provided at the planning stage and during the implementation of a work program rather than after problems are encountered.

Funds Granted to Community Organisations

There are two major categories of funds, the first and by far the largest category is the annual allocation of funds to Regional and Local Aboriginal Land Councils, totalling some \$8.76 in 2002/2003 (\$0.3m to RALCs and \$8.46m to LALCs). These allocations are used primarily as a contribution toward the annual operational expenses of the Councils, and also for Council approved capital acquisitions (\$27k).

The second category is other grants to community organisations and individuals in several categories, totalling some \$0.689m in 2002/2003 (compared with \$1.89m in 2000/2001, well below pro-rata for the 9 month reporting period 2002/2003). Aggregated details of grants less than \$5,000 are provided below, as well as a listing of individual grants of \$5,000 or more and a brief description of the purpose of each of these grants.

Minor Grants (≤ \$5000)

2002 - 2003

Category	Number	Amount (\$)
Councillor Discretionary#	462	282,000.00
Council Approved Projects*	3	1,484.07
Funerals	248	360,726.44
Northern Tableland -Youth Activities	Running Cost	25,539.91
Total	713	669,750.42

Explanatory Notes:

= Small grants made at Regional level in response to local emergency requests.

* = Written proposals submitted to Council seeking specific amounts for one-off purposes.

Major Grants (> \$5000)

2002 - 2003

Payee	Purpose	Amount (\$)
Council Approved Projects	Running Cost	15,402.46
Funeral Grant		
Council Approved Grants	Waive the Debt	28,187.50
Nguralla LALC		
Nairla LALC		
L Uluikadavu	Australian Immigration	6,000.00
Total Major Grants	4	74,589.96

Total of Major & Minor Grants

2002 - 2003

	Number	Amount (\$)
Minor Grants	713	669,750.42
Major Grants	4	74,589.96
Total	717	744,340.38

Accrued Unexpended Grants

2002 - 2003

Category	Amount (\$)
Northern Tableland Youth Activities	19,460.09
Buisness Plan for LALCs	45,000.00
Total	64,460.09

Total of All Grants

2002 - 2003

Category	Amount (\$)
Minor & Major Grants	744,7340.38
Accrued Unexpended Grants	64,460.09
Total	808,800.47

Legal Changes

By far the most significant legal change during the reporting period was the Amended ALRA. Finally proclaimed on 25 October 2002, the Act heavily influenced the operation of NSWALC during the reporting period as preparations for the new standards in grant administration were concluded and made ready to put in place immediately proclamation took place.

Economic Factors

The downturn in the world economy has impacted severely on the size of the return on NSWALC's investment portfolio, interest rates are at all time lows and the drought has caused mounting losses in the operation of NSWALC's rural properties.

Added to this, the requirement for maintenance of the real value of the Statutory Fund has come at the worst possible time as NSWALC will have to make provision for approximately \$10m to be added to the base value of the Fund to ensure it keeps pace with inflation.

NSWALC has significantly reduced its expenditure across the board and, like many other organisations with a diversified portfolio, managed to trim costs and rein in spending in order to keep trading successfully.

Management and Activities

The 2002/2003 reporting period saw some early results of initiatives put in place by the incoming CEO during the previous financial year.

Foremost among these has been the revamping of the senior management ranks and the adoption of a new corporate structure which focusses on the Local Aboriginal Land Council as our key clients.

Also important has been the adoption of more rigorous accounting standards, consistent with our aim to have an unqualified Audit Report and at the same time to rein in certain areas of unproductive spending.

Consolidation of staff onto one complete floor of the Parramatta Head Office allows 3 floors to be freed up for commercial rental and brings greater efficiencies and a closer level of supervision to the entire administration by virtue of having functional areas located logically and managers located closer to the staff they have to manage.

Research & Development

From within NSWALC, the SPPU has assumed the principal role in relation to research and development in both a policy and political sense. The gathering together of skilled staff to service an array of committees, to develop draft policy positions for Council endorsement, and to identify emerging issues and deal with them before they get out of hand is an approach NSWALC will continue to follow in future years in an attempt to stay at the forefront of new "land rights" areas such as natural resources.

In order to do this, it will be necessary to reinstate at least some elements of the defunct SPPU and, finances permitting, dedicate a suitable resource to ensure its preservation.

Resumption of activities by the Culture & Heritage Unit involving, among other things, research into the identification and repatriation of ancestral remains, will also be dependent on the financial position.

Human Resources

The most significant developments in HR during the reporting period have been:

- the adoption of a new, streamlined corporate structure
- the improved time management system for recording staff arrivals and departures, and
- the emergence of a new Award to govern future employment conditions for NSWALC staff.

Each of these matters is discussed at length elsewhere in this report.

Industrial Relations Developments

Hearings before the NSW Industrial Relations Commission

NSWALC Staff Award

As indicated following extensive negotiations that included formal representation before the NSW Industrial Relations Commission the NSW Aboriginal Land Council Staff Award was formally ratified on 17 February 2003.



Unfair Dismissal

The Public Service Association of NSW lodged an Application for Unfair Dismissal on behalf of a terminated employee of NSWALC. Although consultation between the parties was initiated the matter was listed for formal hearing in the Commission in November 2002.

Prior to this matter being heard the Public Service Association of NSW formally advised that they would not be proceeding with this matter.

List of Consultants

During 2002/2003, NSWALC engaged consultants on a total of 13 projects at a total value of \$358,458. The major areas of work in general terms were anthropological research, financial advice, Farm Management and IT rollout. The following breakdown is supplied in accordance with the requirements of the Annual Reports (Statutory Bodies) Act 1984, as amended.

Name of Consultant (Projects \$30,000 & above)	Title of Project	Amount Paid (\$)
Hawkless Consulting Pty Ltd	Staff Review	62,350.00
Cloudscape Pty Ltd	Funeral Program	30,800.00
Riverina Farm	Rural Property Management	153,514.39
Total amounts paid \$30,000 & above	3	246,664.39

Consultancies < \$30,000	Number of Consultancies	Total Paid (\$)
	10	111,793.28

Total All Consultancies	Number of Consultancies	Total Paid (\$)
	13	358,457.67

NSWALC continued to be successful in promoting the participation of women and Aboriginal people in senior management positions and more generally within the organisation during 2002/2003

Year	1999/2000	2000/2001	2001/2002	2002/2003
Councillors				
Male	12	12	12	12
Female	1	1	1	1
Total Council	13	13	13	13
Executive & Senior Management				
Male	13	15	15	14
Female	5	7	8	7
Total Senior Management	18	22	23	21
Aboriginal	15	17	14	13
Administrative Staff				
Male	31	33	30	20
Female	47	42	41	36
Total Administrative	78	75	71	56
Aboriginal	34	33	37	29
All Staff Plus Councillors				
Total Staff	109	110	107	90*
Aboriginal	62	63	64	55
NESB	4	4	4	4
Disability	5	4	4	3

* An additional 3 staff accepted voluntary redundancy offers which took effect during July 2003, staff total now 87.

* Please note that previous editions of the NSWALC Annual Report have included Councillors within the staff count. The figures for each of the years above have now been amended to separately reflect both Councillors and NSWALC staff.

Land Disposal

No land valued at more than \$5m was disposed of by means other than public auction during the reporting period.

Promotion

The 2002-2003 financial period has been successful in achieving a higher public profile for the NSW Aboriginal Land Council, although not all of it has been good publicity.

Promotion of NSWALC activities to the Aboriginal people of NSW

Our main achievement in promoting the activities, objectives and policies of NSWALC to the Aboriginal people of NSW has been through the quarterly magazine, **Pen-Wurru**. The magazine, which is sent out to all Branches and LALCs, along with libraries, Aboriginal organisations and many government bodies, has received very good feedback from the readership. While seeking to inform LALC members of relevant issues affecting them from a State level, its main focus is to promote the positive achievements of Land Council members.



The sponsorship of **Survival Day 2003** was probably NSWALC's most highly visible promotional event for the year, targeting general awareness of the organisation's role and functions to thousands of Indigenous and non-Indigenous people who attended. The sponsorship promoted the organisation with the display of NSWALC banners and flags, speeches from Councillors and the prominent placement of a NSWALC stall. At the stall, NSWALC staff gave away Information Packs, copies of **Pen-Wurru** and helium filled balloons and stickers to the children. They also sold a range of promotional products especially produced for Survival Day including t-shirts, hats and caps, key-rings, bags and water-bottles.



Promotion to government, community groups, educators and students

The NSWALC website is most popular with government departments, educators and students. Since its launch in June 2003, usage of the **website** had grown steadily to an average of 88 visits a day over the reporting period. In addition to information about the role, objectives and organisational structure of the NSWALC, the website hosts articles, press releases and speeches and many other resources such as copies of the NSW Aboriginal Land Rights Act, annual reports and pdf files of **Pen-Wurru**.

The promotion of NSWALC through the general distribution of **Pen-Wurru** and use of the website has resulted in an increase of inquiries from educators, students and members of the public regarding general information about Aboriginal issues, along with requests for guest speakers to address functions. **Speeches** written by the Media and Public Relations Unit for Councillors, the executive and senior staff members are also included on the website to allow greater public

access to the views of the organisation.

The information kits have also been a successful initiative. After an initial distribution at Survival Day, the kits have been updated and there has been a continuous demand for the kits in schools around the States, with the Education Department ordering and distributing 300 copies to schools early in 2002.

Promotion to general public



To promote NSWALC's activities to the general public, the Unit has increased the number of media releases sent to media outlets around the State in the past year. The releases are specifically targeted for either state-wide coverage or regional coverage and relate to either issues specific to Land Council business or in response to general political or social issues affecting Aboriginal people in NSW. Coverage, especially in the Indigenous media, rural papers and on the ABC, has been very good and serves to increase the profile of NSWALC as an active organisation and the voice of the Council on Aboriginal issues.

The Media and Public Relations Unit also keeps the Council and CEO informed of negative press reports and assists by responding to such reports by way of Letters to the Editor.

Further information on promotions can be found in the section featuring Achievements in Media and Public Relations

Service Standards

The major part of NSWALC's effort during the reporting period has been directed toward improving service delivery to our major client group, the network of 121 Local Aboriginal Land Councils. While improved accountability and reporting standards are now mandated under the amended ALRA, NSWALC has taken the view that it must be able to provide a high standard of support to LALCs to help ensure that they can comply with the requirements of the Act and that, where they are compliant, that there is no undue delay in processing payments of their operating grants, in determining applications for financial or legal assistance, or in providing suitable training to assist new office bearers to meet the demands of their position.

The progress made by NSWALC during the reporting period is detailed at some length under the "Achievements" section above.

Accounts Payment Policy & Practice

During the previous reporting period NSWALC took a number of further steps to expedite payments. The most notable of these has been encouragement of regular service providers to register for EFT payment of their accounts, making prompt payment more readily achievable for our most regular suppliers and service providers.

During the reporting year, a systematic approach to the development and implementation of internal controls has helped reduce the number of items in the Management Letter accompanying the Auditor General's Audit Report. All points raised in Management Letters over several previous Audit Reports were considered and action incorporated into a series of "checklists" to ensure compliance.

Among other things, these checklists help ensure both timeliness and accuracy of payments to creditors and avoid duplicated payments where clients lodge duplicate invoices.

Risk Management/Insurance

NSWALC holds the following insurance:

Name of Insurer	Type of Policy	Sum Insured \$ '000
Elders	Umbrella (anything not covered below)	20,000
	Industrial Special Risks	24,500
	Motor Vehicle (80 vehicles)	Replacement Value
	Professional Indemnity, D&O liability	20,000
	Personal Accident	200
	Machinery Breakdown	50



Occupational Health & Safety

Work Related Injury & Illness	
Number reported	8
Nature of Accidents	
Assault	1
Slips, trips & falls	1
Striking stationary object	1
Scald	1
Motor vehicle accident	1
Mental health (e.g. depression, anxiety)	1
Overuse	2
Total	8
At the Workplace	5
On the journey to/ from work	2
At work away from the workplace	1
Total	8

Rehabilitation	
Cases brought forward from 2001/2002	7
New claims this period	4
Total	11
Cases completed	8
Cases continuing & carried forward to 2003/2004	3
Total	11

As this reporting period covered 9 months from 1 October 2002, it was not reasonable to compare the statistics with those of the full 12 months in the 2001/2002 reporting period.

However, an examination of the statistics over the full 12 months ended 30 June 2003 compared with the same period in the previous 12 months revealed encouraging reductions in the number of reported injuries, workers' compensation claims lodged and the cost of workers' compensation claims.

Workers' Compensation Claims	
Claims brought forward from 2001/2002	11
New claims this period	4
Total	15
Claims status at 30.6.03	1
Claims finalised	5
Claims declined / under investigation	2
Claims accepted & continuing	8
Total	15
Open claims carried forward to 2003/2004	10

2002 - 2003

Financial Reports



Contents

Independent Audit Report	.61
Statement by Members of Council	.63
Statement of Financial Position	.64
Statement of Financial Performance	.65
Statement of Cash Flows	.66
Notes to and forming part of the Financial Statements	.67
1. Statement of Significant Accounting Policies	.67
2. Cash	.71
3. Inventories	.71
4. Receivables	.71
5. Other Financial Assets	.72
6. Property, Plant & Equipment	.75
7. Artifacts	.76
8. Payables	.76
9. Total Equity	.76
10. Employee Benefits	.77
11. Commitments	.78
12. Contingent Liabilities	.78
13. Interest and Other Financial Assets Income	.78
14. Other Financial Assets and Property Revaluations	.79
15. Rent	.79
16. Other Income	.79
17. Profit (Loss) on Disposal of Property, Plant & Equipment	.79
18. Revenues from Government	.80
19. Audit Fees	.80
20. Investment Fees	.80
21. Employee Expenses	.80
22. Funding of Regional and Local Aboriginal Land Councils	.80
23. Other Expenses	.81
24. Transfer of Native Title Unit	.81
25. Statutory Investment Fund	.82
26. Note to Statement of Cash Flows	.82
27. Liability as Trustee	.83



GPO BOX 12
SYDNEY NSW 2001

INDEPENDENT AUDIT REPORT

New South Wales Aboriginal Land Council

To Members of the New South Wales Parliament

Qualified Audit Opinion

In my opinion, except for the effects on the financial report of the matters referred to in the qualification paragraphs below the financial report of the New South Wales Aboriginal Land Council:

- (a) presents fairly the Council's financial position as at 30 June 2003 and its financial performance and cash flows for the year ended on that date, in accordance with the applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
- (b) complies with section 41B of the *Public Finance and Audit Act 1983* (the Act).

My opinion should be read in conjunction with the rest of the report.

Qualifications

1. As indicated in note 12.1 within the financial report the council has not estimated the potential financial effect if it loses its application for exemption from Fringe Benefits Tax. This is a departure from ASB 1044 "Provisions, Contingent Liabilities and Contingent Assets". I have not been able to conduct audit procedures to quantify this contingent liability.
2. The Council has entered into arrangements with private sector companies to acquire cattle to condition feedlot the cattle for the Japanese market. In my opinion the Council does not have the mandate under the *Aboriginal Land Rights Act 1983* to enter into these arrangements. During the period the council incurred expenditure of \$175,000 on the project and held inventory balances of \$124,000 as at 30 June 2003. These transactions have been recognised in the Council's financial report.

The Council's Role

The financial report is the responsibility of the members of the New South Wales Aboriginal Land Council. It consists of the statements of financial position, the statement of financial performance, the statement of cash flows and the accompanying notes.

The Auditor's Role and the Audit Scope

As required by the Act, I carried out an independent audit to enable me to express an opinion on the financial report. My audit provides *reasonable assurance* to Members of the New South Wales Parliament that the financial report is free of *material* misstatement.

My audit accorded with Australian Auditing and Assurance Standards and statutory requirements, and I:

- evaluated the accounting policies and significant accounting estimates used by the Council in preparing the financial report, and
- examined a sample of the evidence that supports the amounts and other disclosures in the financial report.

An audit does *not* guarantee that every amount and disclosure in the financial report is error free. The terms 'reasonable assurance' and 'material' recognise that an audit does not examine all evidence and transactions. However, the audit procedures used should identify errors or omissions significant enough to adversely affect decisions made by users of the financial report or indicate that the Council had not fulfilled their reporting obligations.

My opinion does *not* provide assurance:

- about the future viability of the Council,
- that it has carried out its activities effectively, efficiently and economically, or
- about the effectiveness of its internal controls.

Audit Independence

The Audit Office complies with all applicable independence requirements of Australian professional ethical pronouncements. The Act further promotes independence by:

- providing that only Parliament and not the executive government, can remove an Auditor-General, and
- mandating the Auditor-General as auditor of public sector agencies but precluding the provisions of non-audit services, thus ensuring the Auditor-General and the Audit Office are not comprising in their role by the possibility of losing clients or income.



R J Sendt
Auditor-General

SYDNEY
5 February 2004

NEW SOUTH WALES ABORIGINAL LAND COUNCIL PERIOD ENDED 30 JUNE 2003 STATEMENT BY MEMBERS OF THE COUNCIL

Pursuant to Section 41C of the Public Finance and Audit Act, 1983, and in accordance with a resolution of the executive of the New South Wales Aboriginal Land Council, we declare on behalf of the Council that in our opinion :

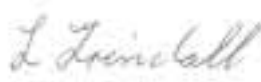
1. The accompanying financial statements exhibit a true and fair view of the financial position of the New South Wales Aboriginal Land Council as at 30 June 2003 and transactions for the 9 month period then ended.
2. The statements have been prepared in accordance with the provisions of the Public Finance and Audit Act, 1983, the Public Finance and Audit Regulation, 2000 and the Treasurer's Directions.

Further, we are not aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.

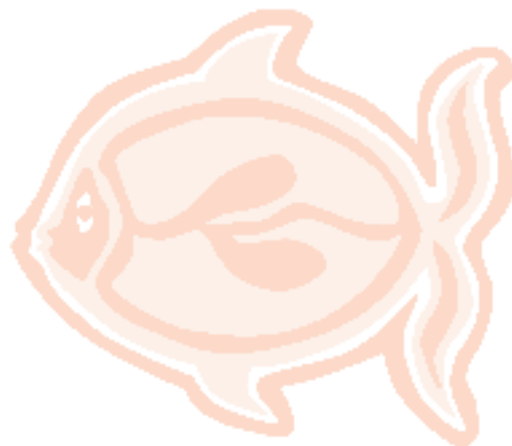
Dated 8 September 2003



Treasurer



Chairperson



Statement of Financial Position

As at 30 June 2003

	Note	2003 \$'000	2002 \$'000
CURRENT ASSETS			
Cash	2	1,588	1,212
Inventories	3	329	427
Receivables	4	10,499	2,323
Other Financial Assets	5	131,243	131,761
Total Current Assets		143,659	135,723
NON-CURRENT ASSETS			
Property, Plant and Equipment	6	19,176	20,196
Artifacts	7	239	239
Other Financial Assets	5	357,545	343,289
Receivables	4	3,119	3,462
Total Non-Current Assets		380,079	367,186
TOTAL ASSETS		523,738	502,909
CURRENT LIABILITIES			
Payables	8	3,645	3,281
Employee Benefits	10	508	510
Total Current Liabilities		4,153	3,791
NON-CURRENT LIABILITIES			
Employee Benefits	10	556	482
Total Non-Current Liabilities		556	482
TOTAL LIABILITIES		4,709	4,273
NET ASSETS		519,029	498,636
EQUITY			
Reserves	9	5,802	6,005
Accumulated Funds	9	513,227	492,631
Total Equity		519,029	498,636

The above statement of financial position should be read in conjunction with the accompanying notes.

New South Wales Aboriginal Land Council

Statement of Financial Performance

For the period 1 October 2002 to 30 June 2003

	Note	2003 \$'000	2002 \$'000
Revenues from ordinary activities			
Interest and Investment Income	13	27,661	26,288
Rent	15	96	440
Grants		2	64
Net Increment on Investment Revaluation	14	11,465	0
Other Income	16	1,136	2,007
		40,360	28,799
Revenues from government			
Grants and subsidies	18	146	316
Total Revenues		40,506	29,115
Expenses from ordinary activities			
Audit Fees	19	195	193
Investigators fees		320	86
Consultants Fees		356	599
Investment Fees	20	1,019	611
Depreciation and Amortisation	6	898	1,285
Provision for Loss on Mortgage Investments	5	0	705
Employee Expenses	21	4,726	5,865
Funding of Regional and Local Aboriginal Land Councils	22	8,761	12,195
Grants		809	1,893
Legal Expenses		185	978
Loss on Disposal of Non Current Investments		0	1,171
Loss on Disposals of Property Plant & Equipment	17	209	310
Transfer of Native Title Unit	24	0	872
Net Decrement on Investment Revaluation		0	11,710
Motor Vehicle Expenses		311	539
Repairs and Maintenance		536	1,051
Other expenses	23	1,788	3,874
Total Expenses from ordinary activities		20,113	43,851
Operating Surplus (Deficit) from Ordinary Activities		20,393	(14,736)

The above statement of financial performance should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the period ended 30 June 2003

	Note	2003 \$'000	2002 \$'000
Cash flows from operating activities			
Interest and Investment Income		19,759	25,571
Rent and Outgoings		106	440
Other receipts in course of operations		2,080	4,007
Cash flows from government		163	380
Payments in course of operations		(19,371)	(29,617)
Net cash provided by operating activities	26	2,736	781
Cash flows from investing activities			
Purchase of Other Financial Assets		(20,273)	(88,676)
Purchases of Property, Plant and Equipment		(347)	(1,761)
Proceed from Disposals of Other Financial Assets		18,000	86,056
Sale Proceeds Property, Plant and Equipment		260	927
Net cash used in investing activities		(2,360)	(3,454)
Net (decrease) in cash held		376	(2,673)
Cash at the beginning of the year		1,212	3,885
Cash at end of year	26	1,588	1,212

The above statement of cash flows should be read in conjunction with the accompanying notes.



Notes to and Forming Part of the Financial Statements

For the period ended 30 June 2003

I. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

BASIS OF ACCOUNTING

The Council's Financial Statements are a general purpose financial report and have been prepared in accordance with applicable Australian Accounting Standards, and other authoritative pronouncements of the Australian Accounting Standards Board, Urgent Issues Group Consensus Views and the Public Finance and Audit Act 1983, the Regulations and Treasurers Directions and the New South Wales Aboriginal Land Rights Act of 1983.

The Statement of Financial Performance and the Statement of Financial Position are prepared on an accrual basis. The Statement of Cash Flows is prepared on a cash basis using the "direct method".

Except for certain investments and property, plant and equipment which are recorded at valuation, the Financial Statements are prepared in accordance with the historical cost convention. The accounting policies adopted are consistent with those of the previous year.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(a) Revenue Recognition

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured. The following specific recognition criteria must also be met before revenue is recognised :

(i) Income on Other Financial Assets

Control of a right to receive consideration for the provision of, or investment in, assets has been attained.

(ii) Rent

Control of the right to be compensated for the services has been attained.

(iii) Disposal of Non-Current Assets

Control of the goods has passed to the buyer.

(iv) Grants and Subsidies

Grants and subsidies from other bodies are recognised as revenue when the entity obtains control over the assets comprising the grant, or, subsidy. Control is normally obtained upon the receipt of cash.

(b) Financial Instruments

Financial Instruments give rise to positions that are financial assets or liabilities (or equity instruments) of the Council. These include cash at bank, debtors, other financial assets and payables.

Classes of instruments are recorded at cost and are carried at net fair value.

(i) Cash at bank

Cash comprises cash on hand and bank balances including I I AM at call accounts. Interest is earned on daily balances on current accounts at Commonwealth Bank of Australia at agreed rates depending on the balance of the account. Interest is earned on I I AM accounts at agreed rates at Commonwealth Bank of Australia.

(ii) Receivables

All receivables are recognised as amounts receivable at balance date. Collectability of debtors is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off. A provision for doubtful debts is raised when some doubt as to collection exists. The credit risk is the carrying amount (net of any provision for doubtful debts). Term loans to Local Land Councils carry interest at an agreed rate, whilst, other receivables earn no interest. Weighted average interest rate applicable was 4.35%

All amounts due at 30 June 2003 have been reviewed and are considered to be collectable, other than the amounts provided at note 4.

Receivables include rates paid on behalf of Local Aboriginal Land Councils in accordance with Section 44A of New South Wales Aboriginal Land Rights Act and approved loans.

(iii) Other Financial Assets

Current other financial assets comprise short term commercial paper, Investment Managers' short term investments and cash holdings, if any, and International Fixed Interest Securities which are actively traded. Interest is earned on all these other financial assets on the basis specified in Note 5.

Non Current other financial assets comprise units in the Clay Finlay Trust (International Equities), Colonial First State Australian Property Trust, Dresdner RCM International Equities Trust, Perpetual Investments Australian Equities Trust, Perpetual Industrial Share Trust, Deutsche Australian Property Trust, Deutsche Australian Equities Trust and Citigroup Australian Fixed Interest Trust, Citigroup Global Credit Trust, Absolute Return Funds managed by Deutsche, M M & E Capital, Warakirri Asset Management plus an individually managed portfolio by Aberdeen (formally Equitilink) of Australian Fixed Interest. Income is earned on these other financial assets on the basis specified in Note 5.

The credit risk of other financial assets is limited to the amount carried on the Statement of Financial Position at 30 June 2003

(iv) Payables and Accruals

Liabilities (other than for employee entitlements) are recognised for amounts due to be paid in the future for goods and services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in Treasurer's Direction 219.01, which allows the Minister to award interest for late payment.

If trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice, or statement, is received.

(c) Inventories

Inventories are valued at the lower of cost or net realisable value. Livestock natural increases included in stock on hand are valued using the average cost method.

(d) Other Financial Assets

(i) Current Other Financial Assets

All realised gains/losses (interest received) and unrealised gains/losses (revaluation to market value) are recognised in the Statement of Financial Performance.

(ii) Non Current Other Financial Assets

These other financial assets comprise units acquired in fixed interest, equity and property trust funds, an individually managed portfolio that is wholly owned by the Council and a mortgage fund.

All revaluations to market value, including revaluation of unit prices are brought to account as a revaluation of non current assets in accordance with Australian Accounting Standard AASB 1041 "Accounting for the Revaluation of Non-Current Assets".

Distributions by unit trusts (net of management fees) received are recognised as income in accordance with industry practice.

In deriving other financial assets income from the wholly owned fixed interest portfolio, coupon receipts subject to the amortisation of premiums and accretion of discounts, are recognised as income.

Distributions by unit trusts (net of management fees) received are recognised as income in accordance with industry practice.

In deriving other financial assets income from the wholly owned fixed interest portfolio, coupon receipts subject to the amortisation of premiums and accretion of discounts, are recognised as income.

(e) Property, Plant and Equipment

Land and buildings are revalued within five yearly intervals. Revaluation represents an independent assessment of the fair market value of land and buildings based on existing use. Valuations adopted in the financial statements do not exceed the independent assessment. Revaluation increments are credited directly to an Asset Revaluation Reserve.

All properties were valued by the State Valuation Office of New South Wales Department of Public Works and Services as at 30 March 2001.

Plant and equipment costing \$500 and above individually are capitalised.

Plant and equipment is carried at cost less accumulated depreciation. The net book value represents a fair market value as at the balance date.

Council policy is to dispose of vehicles after the earlier of two years or 40,000 kilometres.



(f) Employee Entitlements

(i) Superannuation

The liability for accrued benefits represents the value of the present obligation to pay benefits to members and other beneficiaries and is determined as the present value of expected future payments which arise from membership of the fund to balance date. The present value is measured by reference to expected future wage and salary levels and by application of a market determined, risk adjusted discount and appropriate actuarial assumptions.

(ii) Annual and Long Service Leave

The long service leave liability has been provided for all employees who have five or more continuous years of service and has been calculated at salary levels expected to apply when the liability is settled. It is considered that this measurement technique produces results not materially different from the estimate determined by using the present value basis of measurement.

(iii) Sick Leave

No liability is recognised in the financial statements for non - vesting sick leave as the Council does not consider it probable that sick leave taken in the future will be greater than the entitlements accrued in the future.

(iv) Wages, Salaries, Annual Leave and Long Service Leave

These are recognised and measured as the amount unpaid at the reporting date at the current pay rates in respect of employee services up to that date.

(g) Funeral Fund Liability

The Council collected fees from persons of Aboriginal descent with the intention of establishing a Funeral Fund in 1992. Since the Fund has not been approved by the Department of Fair Trading all fees collected have been included under payables.

(h) Mortgages

(i) Provision for Loss on Mortgages

Note 5(j) refers to a number of mortgage loans made by the Council as part of its investment operations. Where settlement date has passed and the loan is considered to be in default, the Council provides for a loss on these mortgages on the basis of the difference between the mortgage balance owing and the advised likely realisable value obtained at a mortgagee sale.

(ii) Interest and Costs

Once a mortgage loan has defaulted, the Council does not continue to accrue interest charges on the balance outstanding. Similarly, where the margin between recent valuations of the mortgaged property and the balance outstanding is narrow, or, in deficit, legal and other costs associated with investigating and negotiating settlement of balances owed to the Council are not accrued as part of the balance outstanding.

(i) Statutory Fund

All income and expenses of the Statutory Fund and its assets and liabilities are reported in Note 25 of the Financial Statements. For disclosure purposes we are dissecting between Statutory and Administration Fund.

(j) Depreciation

Depreciation is provided on a straight line basis so as to write off the depreciable amount of each asset as if consumed over its anticipated useful life. Assets at valuation are depreciated on a straight line basis over the remaining anticipated life as follows.

	2003 \$'000	2002 \$'000
Building:-		
Head Office	4.00%	4.00%
Others	2.857% to 100%	2.857% to 100%
Motor Vehicles	20.00%	20.00%
Computer Equipment	33.33%	33.33%
Other Equipment, Furniture & Fittings	20.00%	20.00%

(k) Previous Year Comparative Information

Comparative information is reclassified where appropriate to enhance comparability.

2. CASH

	2003 \$'000	2002 \$'000
Administrative Fund	663	680
Statutory Fund	715	323
Funeral Fund	210	209
	1,588	1,212

The Funeral Fund collections have been maintained in a separate bank account and as a result of a judgement of the High Court of Australia are refundable to former members of the fund.

Interest rate at year end on cash at bank ranged from nil up to 4.6%

3. INVENTORIES

	2003 \$'000	2002 \$'000
Livestock	277	390
Grain and Other Rural Stock	52	37
	329	427

4. RECEIVABLES

	2003 \$'000	2002 \$'000
Current		
Council Members	9	17
Other Debtors	9,735	1,762
Other Debtors -		
Prepaid Superannuation - (Note 10)	125	132
Prepayments	2	199
Local Aboriginal Land Councils	773	359
Aboriginal Organisations	0	54
	10,644	2,523
Less Provision for Doubtful Debts	145	200
	10,499	2,323

4. RECEIVABLES

	2003 \$'000	2002 \$'000
Non-Current		
Loans and Advances to Local Aboriginal Land Councils	5,869	6,212
	5,869	6,212
Less Provision for Doubtful Debts	2,750	2,750
	3,119	3,462

Doubtful debts are raised when doubt as to collection exists. A review of amounts owing by local land councils in respect of rate debtors is undertaken annually. Those councils that have not made a significant reduction in their rate debtor balance in recent years have been classified as doubtful. All other debtors have been reviewed as to whether they are collectable and a provision has been made accordingly.

Statutory Fund	9,138	1,209
Administrative Fund	4,480	4,576
	13,618	5,785

5. OTHER FINANCIAL ASSETS

	2003 \$'000	2002 \$'000
Current		
Commercial Bills / Promissory Notes	3,994	11,976
Money Market Funds	14,979	5,819
International Fixed Interest Securities	112,270	113,966
	131,243	131,761

Given the nature of other financial assets, the Council considers the book value to be a fair approximation of the market value. - Refer Note 1 (d)(i).

Non-Current

Australian Fixed Interest	55,337	52,374
Units in Australian Fixed Interest	46,869	44,139
Units in Managed Australian Share Fund	131,121	1108,913
Units in International Equities	30,746	32,521
Units in Australian Listed Property Trusts	48,400	54,147
Absolute Return Trusts	36,805	42,317
Mortgages	11,817	12,428
Woolstock Australia Ltd - Administration Other Financial Asset -		9
	361,095	346,839
Provision for Loss on Mortgages (Refer Note 5(i) Mortgages)	(3,550)	(3,550)
	357,545	343,289

Non-Current Other Financial Assets are revalued to market value - Refer Note 1 (d)(ii).

5. Other Financial Assets

Current

(a) Commercial Bills/Promissory Notes

These are short dated instruments issued by a Corporation, which is responsible for repayment at due date, having a short term credit rating of A1 or better.

These instruments at balance date were earning an average interest rate of 4.8 % (2001/2002 4.9%), whilst over the period the sum of monthly weighted average interest rates was 4.85 % (2001/2002 4.5%) The Reserve Bank of Australia maintained the official overnight cash rate at 4.75 % during the period under review (2001/2002 increased by a total of .25%).

(b) Money Market Funds

These are short term funds managed by First Nations Advantage Credit Union and Citigroup Cash Trust. The sum of monthly weighted average returns over the period in which they were invested is as follows :-

First Nations Advantage Credit Union 5.16 % (2001/2002 4.8%)

(c) Managed International Fixed Interest Securities

AMP manage International Fixed Interest (Foreign Bonds) on behalf of the Council which earn income and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These instruments over the period under review resulted in a positive return of 10.66% (2001/2002 7.15%) per annum after taking net capital profits both realised and unrealised into account.

Non-Current

(d) Managed Australian Fixed Interest

Aberdeen manage Australian Fixed Interest (Bonds) on behalf of the Council which earn income and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These instruments over the period under review resulted in a positive return of 9.9% (2001/2002 4.6%) per annum after taking net capital profits both realised and unrealised into account.

(e) Units in Australian Fixed Interest

The Council has units in the Citigroup Fixed Interest Trust which earns income and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These other financial assets over the period under review resulted in a positive return of 9.92% (2001/2002 6.04%) per annum after taking net capital profits and losses both realised and unrealised into account.

(f) Units in Managed Australian Share Fund

The Council has units in the Perpetual Australian Equity Trust, Deutsche Equity Trust and State Street Global Advisors. Equities (Shares) earn income (dividends) and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These other financial assets over the period under review resulted in a return of 2.3 % (2001/2002 2.6%) per annum after taking net capital profits and losses both realised and unrealised into account.

(g) Units in International Equities

The Council has units in the Dresdner RCM Global Investors International Equities Trust and Clay Finlay International Equities Trust which earn income (dividends) and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These other financial assets over the period under review resulted in a negative return of 19.65% (2001/2002 negative return of 26.72%) per annum after taking net capital profits and losses both realised and unrealised into account.

(h) Units in Listed Australian Property Trusts

The Council has units in the Colonial First State Property Trust and Deutsche Asset Management Property Trust which earn income (dividends) and produce capital gains, or, losses, both realised and unrealised, in accordance with market conditions.

These other financial assets over the period under review resulted in a positive return of 13.1% (2001/2002 positive return of 11.4%) per annum after taking net capital profits both realised and unrealised into account.

(i) Units in Absolute Return Funds

The Council has units in the Deutsche Equities Long/Short Fund, M M & E Capital and Warakirri Asset Management Pty Ltd (Hedge Funds). With the current market situation the return for the nine months under review resulted in 9.2%.(2001/2002 negative return of 0.99%)

(j) Mortgages

The Council lent funds on first mortgage on real property up to a maximum of two-thirds of independent market valuation. These mortgages have been introduced mainly by mortgage brokers and to a lesser extent have been advanced to Local Aboriginal Land Councils.

Weighted average return on mortgages advanced at 30/6/03 was 1.3 % (2001/2002 was 2%) per annum, including amounts written off as bad. Where delinquent mortgages have been placed in the hands of solicitors for collection, these mortgages are regarded as non performing loans and interest is no longer accrued, but, all effort is made to collect this interest as well as the principal.

At 30 June 2003, the balance outstanding amounted to \$11.8 M. Of this amount, advances totalling \$11.1 M had passed their settlement date and were considered to be in default. The Council assessed these mortgages, comparing each balance outstanding to a current valuation of the mortgaged property, in order to provide for possible losses.

The \$3.5M provision for doubtful mortgages related to two mortgages where a possible loss was noted. The major instance involves a property where the Council holds a first mortgage as security for a loan with a balance outstanding of \$10.3M at 30 June 2003. The property is the site of a major building construction approximately 80% complete. Based on professional advice, the Council decided to sell the building on a "as is" basis in order to minimise further loss. The Council had provided for a loss of \$3.3M. The property had been sold and realised \$7M. Settlement on the sale was not made until after year end, and will therefore be recognised in the financial report for 2003 - 2004.

During the period Council recovered \$1.4 M from mortgages with a book value of \$1.4M.

Of advances totalling \$25.6M made since the inception of the scheme, the Council has advanced \$11.7M to eight mortgagors, without obtaining independent valuations of the properties. This action does not comply with Section 18(2) of the Trustee Act 1925 which requires the value of the property used as security for the mortgage loan to be subject to a valuation by a registered valuer instructed and employed by the mortgagee.

6. PROPERTY, PLANT & EQUIPMENT

	Land \$'000	Buildings \$'000	Plant and Equipment \$'000	Motor Vehicles \$'000	Total \$'000
Opening Balance at Cost	-	-	4,469	2,471	6,940
Opening Balance at Valuation	6,929	11,968	-	-	18,897
Additions	-	11	118	218	347
Disposals	(160)	(55)	(7)	(350)	(572)
	6,769	11,924	4,580	2,339	25,612
Depreciation					
Opening Balance	-	(841)	(3,752)	(1,048)	(5,641)
Charge for the Year	-	(369)	(283)	(246)	(898)
Disposals	-	12	7	84	103
	-	(1,198)	(4,028)	(1,210)	(6,436)
Written Down Value					
2003	6,769	10,726	552	1,129	19,176
2002	6,929	11,127	717	1,423	20,196
				2003 \$'000	2002 \$'000
Statutory Fund				11,051	11,345
Administrative Fund				8,125	8,851
				19,176	20,196

The original cost of fully depreciated assets included in the total property, plant and equipment is \$3M consisting of 167 items of Furniture and Fittings, 415 items of Plant and Equipment 351 items of Computer equipment (2001/2002 \$2.9M).

In terms of the Aboriginal Land Rights Act, 1983 the NSW Aboriginal Land Council is able to lodge land claims with the Crown Lands Minister. The Minister may grant all or part of the claim.

Where it is the intention of the NSW Aboriginal Land Council to transfer property granted by the Minister to the Local Aboriginal Land Council in which the property is situated, the property is regarded as being held in trust. The property is therefore not regarded as an asset of the NSW Aboriginal Land Council in the period before the transfer is effected.

At 30 June 2003 the Council held title to 40 properties with a total value of \$301,244 which were awaiting transfer to Local Aboriginal Land Councils. A further 28 properties granted by the Minister were awaiting transfer of title to the NSW Aboriginal Land Council before their transfer to Local Aboriginal Land Councils.

7. ARTEFACTS

	2003 \$'000	2002 \$'000
Cost at 1st October	239	239
Additions	-	-
Disposals	-	-
Book Value at 30 June	239	239

No depreciation is charged, as these assets are considered to maintain their value.

8. PAYABLES

	2003 \$'000	2002 \$'000
Sundry Payables and Accruals	3,435	3,072
Funeral Fund - Contributions Refundable	210	209
	3,645	3,281
Statutory Fund	327	67
Administrative Fund	3,318	3,214
	3,645	3,281

9. TOTAL EQUITY

	Accumulated Funds		Asset Revaluation Reserve		Total Equity	
	2003 \$'000	2002 \$'000	2003 \$'000	2002 \$'000	2003 \$'000	2002 \$'000
Opening Balance	492,631	507,367	6,005	6,005	498,636	513,372
Property Disposals	203		(203)			
Total	492,834	507,367	5,802	6,005	498,636	513,372
Changes in Equity - other than transactions with owners as owners						
Operating Deficit from Ordinary Activities	20,393	(14,736)	-	-	20,393	(14,736)
Total	20,393	(14,736)	-		20,393	(14,736)
Closing Balance	513,227	492,631	5,802	6,005	519,029	498,636

10. EMPLOYEE BENEFITS

	2003 \$'000	2002 \$'000
Current Provisions		
Provision for Annual Leave	508	510
	508	510
Non - Current Employee Benefits		
Provision for Long Service Leave	556	482
	556	482

The Superannuation Schemes relating to Council employees are State Superannuation Scheme (SSS), State Authorities Superannuation Scheme (SASS), and State Authorities Non Contributory Scheme (SANCS).

The assessed liability for the Council at 30 June 2003 and funds held in the reserve accounts at Pillar Administration (including accrued income) are:-

Aggregate Employee Benefits and Related On-costs	2003 \$'000	2002 \$'000
Provisions - Current	508	510
Provisions - Non Current	556	482
Accrued Salaries and Wages	507	68
	1,571	1,060

Superannuation (Liability)/Prepaid Superannuation Contributions				2003 Totals	2002 Totals
	SASS	SANCS	SSS		
Number of contributors	1	2	1	4	4
Monetary Value	\$'000	\$'000	\$'000	\$'000	\$'000
Opening Balance at Cost	(46)	(29)	(160)	(235)	(225)
Less Estimated Reserve					
Account Closing Balance	58	55	247	360	356
Prepaid Contributions	12	26	87	125	131

The 2003 assessment of SANCS, SASS and FSS is based on the full requirements of AAS25 "Financial Reporting by Superannuation Plans." This requires that a market determined risk adjustment discount rate be applied as the valuation interest rate in the calculation of the value of accrued benefits. The financial assumptions that have been applied for the calculations for 2003 and thereafter are :-

	Year 2003/4	Year 2004/5	Year 2005/6 and there after
Rate of Interest per annum	7.00%	7.00%	7.00%
Rate of Salary Increase per annum	4.00%	4.00%	4.00%
Rate of Increase in CPI per annum	2.50%	2.50%	2.50%

11. COMMITMENTS

Commitments in relation to non cancellable operating leases are payable as follows:

	2003 \$'000	2002 \$'000
Not later than one year	51	50
Between one and two years	31	47
Between two and five years	24	49

Total Operating Lease Commitments (including GST) 106 146

These operating leases are not recognised in the financial statements as liabilities.

Commitments in relation to investigator's fees of \$550K are not recognised in the financial statement as liabilities.

Commitments for goods and services of \$1,592K are not recognised in the financial statement as liabilities.

12. CONTINGENT LIABILITIES

The Council has no contingent liability as at 30 June 2003 other than those stated below :

(i) Fringe Benefits Tax

The Australian Taxation Office (ATO) provided an advice in January 2001 that the Council is not a benevolent institution and section 57A of the Fringe Benefits Tax Assessment Act does not apply. However, the ATO suggested that an objection can be lodged by way of applying for a private ruling for exemption. If necessary the Council will apply for a private ruling for exemption.

However, in view of changes to the Aboriginal Land Rights Act, which was assented to by Parliament in 2002, the Council has submitted a new application under section 57A of the Fringe Benefits Tax Assessment Act. The changes to the Aboriginal Land Rights Act include objectives that more fully describe the Council's role as a benevolent institution.

In view of other precedents, the advice obtained from a Queens Counsel in 1996 and changes to the Aboriginal Land Rights Act, the Council believes that it has a strong case to obtain an exemption from fringe benefits tax (FBT). As this matter is now in the hands of the Council's attorneys, no liability for FBT has been recognised in the financial statements and no attempt has been made to calculate liability.

(ii) Litigation

The Council's solicitors have advised that the maximum possible legal claims and costs may amount to \$370,358 as at 30 June 2003 (2002 \$313K) for all outstanding litigation.

13. INTEREST AND OTHER FINANCIAL ASSETS INCOME

	2003 \$'000	2002 \$'000
Administrative Fund	126	237
Statutory Investment Fund	27,535	26,051
	27,661	26,288

14. OTHER FINANCIAL ASSETS AND PROPERTY REVALUATIONS

In accordance with Australian Accounting Standard AASB01041, revaluations of non current other financial assets that result in increments are credited to an asset revaluation reserve, except to the extent that the increment reverses a revaluation decrement previously expensed. In these circumstances the increment must be recognised as income.

	2003 \$'000	2002 \$'000
	11,465	0

15. RENT

	2003 \$'000	2002 \$'000
Administrative Fund		
Regional Offices	25	25
State Office	0	31
	25	56
Statutory Investment Fund		
Head Office	347	1,084
	372	1,140
Less Elimination of Inter Fund Transactions	276	700
	96	440

16. OTHER INCOME

	2003 \$'000	2002 \$'000
Enterprise Gross Income	181	755
Investment Managers Fees Rebates	742	1,106
Other	53	146
Assets not identified previously	17	-
	993	2,007

17. PROFIT (LOSS) ON DISPOSAL OF PROPERTY, PLANT & EQUIPMENT

	2003 \$'000	2002 \$'000
Proceeds from sale	260	927
Written down value of assets disposed	(469)	(1,237)
Net profit (loss) on disposal of property, plant and equipment	(209)	(310)

18. REVENUES FROM GOVERNMENT

	2003 \$'000	2002 \$'000
Commonwealth Government Grants & Subsidies	51	145
New South Wales Government Grants & Subsidies	95	171
Total Revenues from Government	146	316

19. AUDIT FEES

	2003 \$'000	2002 \$'000
Fees paid to Audit Office of New South Wales	195	187
Audit Fees - Native Title Unit	0	6
	195	193

The auditors received no other benefit

20. INVESTMENT FEES

	2003 \$'000	2002 \$'000
Investment Advisor's Fees	75	100
Investment Managers' Fees	815	310
Custodian Fees	129	201
	1,019	611

In addition to the above fees, management fees on unit trusts are included in the value of the trust units and ultimately in the distribution received from these trusts. Therefore, both unit valuations and distributions are net of management fees. In accordance with the investment fund contract a number of management fee rebates, charged in the previous year, were received in 2002-2003 (refer Note 16).

21. EMPLOYEE EXPENSES

	2003 \$'000	2002 \$'000
Salaries, Wages	4,031	4,831
Superannuation	319	434
Adjustment to Provision for Leave Expenses	62	139
Workers Compensation Insurance	314	461
	4,726	5,865

22. FUNDING OF REGIONAL AND LOCAL ABORIGINAL LAND COUNCILS

	2003 \$'000	2002 \$'000
Regional Aboriginal Land Councils	299	396
Local Aboriginal Land Councils	8,435	11,712
Capital Allocations - Local Aboriginal Land Councils	27	87
	8,761	12,195

23. OTHER EXPENSES

	2003 \$'000	2002 \$'000
Staff Training, Development and Recruitment	169	696
Telephone	241	378
Enterprise and Farm Expenses	271	415
Insurance	93	123
Rates	43	110
Rent and Outgoings	47	80
Advertising	6	60
Public Relations and Publicity etc	24	40
Travel Expenses and Allowances	213	465
Postage, Printing and Stationary	133	185
Office and Administration Expenses	147	175
Property Administration Expenses	0	8
Equipment Hire and Lease	27	42
Meeting Costs	9	172
State Wide Conference	0	400
Workshop and Conference Costs	67	164
NSWALC Focus reconciliation	140	144
Council Approved Projects	0	75
Accounting	4	3
World Indigenous Expenses	28	3
Other Expenses	126	153
	1,788	3,883

24. TRANSFER OF NATIVE TITLE UNIT

Following an application by the Council to the Minister for Indigenous Affairs, the Council's recognition as a Native Title Representative Body was withdrawn by the Minister's approval of 6 December 2001. All assets and liabilities of the Native Title Unit were transferred to the new agency, NSW Native Title Service Limited.



25. STATUTORY INVESTMENT FUND

	Note	2003 \$'000	2002 \$'000
Statutory Fund Opening Balance		487,860	498,162
Add Income			
Interest and Other Income on Other Financial Assets	13	27,535	26,051
Rent	15	347	1,084
Investment Managers Fees Rebates	16	742	1,106
Expenses (Including Transfers to the Administrative Fund, Provision for Loss on Mortgages, Loss on Mortgages written off and Net Decrement on Other Financial Assets Revaluation)		(7,119)	(38,543)
Operating Surplus for the Year		21,505	10,302
Statutory Fund Closing Balance		509,365	487,860
Statutory Fund Represented by:-			
Cash	2	715	323
Other Financial Assets Current	5	131,243	131,761
Other Financial Assets Non Current	5	357,545	343,289
Property Plant & Equipment	6	11,051	11,345
Receivables	4	9,138	1,209
		509,692	487,927
Payables	8	(327)	(67)
Net Statutory Fund		509,365	487,860

26. NOTE TO STATEMENT OF CASH FLOWS

	2003 \$'000	2002 \$'000
(a) Cash at Bank and in hand		
For the purposes of the Statement of Cash Flows the Council considers the following as cash:-		
Cash at bank	957	1,210
Cash in hand	1	1
II AM Deposits with banks	630	1
	1,588	1,212

**(b) Reconciliation of net cash flows from ordinary activities to
Operating Deficit from Ordinary Activities**

	Note	2003 \$'000	2002 \$'000
Operating Surplus (Deficit) from Ordinary Activities		(20,393)	(14,736)
Depreciation & Amortisation		898	1,285
Net Decrement on Other Financial Assets Revaluation		(11,465)	11,710
Adjustment to Provision for Leave Expenses		72	(23)
Loss (Profit) on disposal of non Property, Plant & Equipment		209	310
Provision for loss on mortgages		0	705
Loss on disposal of non current investments		0	1,171

Other Changes in assets and liabilities in respect of ordinary activities.

Receivables decrease (increase)	(7,833)	(1,120)
Inventories decrease (increase)	98	(63)
Payables and borrowings (decrease) increase	364	1,542

Net cash inflows from ordinary activities **2,736** **781**

(c). Credit standby arrangements and unused loan facilities.

The Council had no credit standby arrangements or unused loan facilities.

27. LIABILITY AS TRUSTEE

New South Wales Aboriginal Land Council acts as trustee for various trusts. The assets of the Trusts which lie behind the rights of indemnity are not directly available to meet any liabilities of New South Wales Aboriginal Land Council acting in its own right. The assets of the Trusts were sufficient to discharge all the liabilities of the Trusts at 30 June 2003.

The positions of the Trusts are:-

	2003 \$'000	2002 \$'000
CURRENT ASSETS		
Dungutti Elders Council Aboriginal Corporation		
Cash at Bank	916	909
World Indigenous Games		
Cash at Bank	0	13
Gumbaynggir Tribal Aboriginal Elders Co.		
Cash at Bank	26	19
TOTAL TRUST FUNDS HELD	942	941

End of Audited Financial Statements

Location of NSWALC Offices

HEAD OFFICE

4th floor 33 Argyle St
PO Box 1125
Paramatta NSW 2224
Phone: 02 9689 4444
Fax: 02 9687 1234
Chairperson: Les Trindall
Secretary: Ivern Adler

CENTRAL

Cnr Wingewarra & Darling St
PO Box 1196
Dubbo NSW 2830
Phone: 02 6882 9350
Fax: 02 6002 9371
Councillor: Rod Towney
Manager: Robert Barnes

CENTRAL COAST

Suite 7 Second Floor
Cnr John & Belgrave St
PO Box 305
Kempsey NSW 2440
Phone: 02 6562 7322
Fax: 02 6562 4223
Councillor: Manul Richie
Manager: Colin (Cody) Campbell

FAR NORTH COAST

25 Orion St
PO Box 494
Lismore NSW 2480
Phone: 02 6622 1010
Fax: 02 6622 1931
Councillor: Dave Brown
Manager: Harold Love

MURRAY RIVER

52 Chanter St
PO Box 201
Moama NSW 2731
Phone: 03 5480 9155
Fax: 03 5480 9117
Councillor: David Clarke
Manager: Robert Walker

NORTH WEST

87 Wilga St
PO Box 449
Coonamble NSW 2829
Phone: 02 6822 2119
Fax: 02 6822 2322
Councillor: Les Trindall
Manager: Angela Fernando

NORTHERN

143 Loder St
PO Box 327
Quirindi NSW 2343
Phone: 02 6746 1668
Fax: 02 6746 2525
Councillor: Wayne Griffiths
Manager: Bob Maynard

NORTHERN TABLELANDS

93 Faulkner St
Armidale NSW 2350
Phone: 02 6772 7666
Fax: 02 6772 7342
Councillor: Tom Briggs
Manager: Lee Paterson

SOUTH EAST COAST

Chapman House 2-34D Orient St
PO Box 388
Batemans Bay NSW 2536
Phone: 02 4472 9955
Fax: 02 4472 9950
Councillor: Ivern Ardler
(South Coast Region)
Councillor: Ossie Cruise
(Far South Coast Region)
Manager: Lana Callaghan

SYDNEY NEWCASTLE- METROPOLITAN

66 Showground Rd
PO Box 1389
Gosford NSW 2250
Phone: 02 4325 0205
Fax: 02 4323 3082
Councillor: Veronica Graf
(Sydney Newcastle Region)
Councillor: Robert Lester
(Western Metropolitan Region)
Manager: Carole DiFranco

WESTERN

1 Yarlta St
PO Box 47
Menindee NSW 2879
Phone: 08 8091 4114
Fax: 08 8091 4445
Councillor: William Murray
Manager: Jenny Edwards

WIRADJURI

153 Docker St
PO Box 5515
Wagga Wagga NSW 2650
Phone: 02 6921 6544
Fax: 02 6921 7903
Councillor: James Morgan
Manager: Roland Williams

Local Aboriginal Land Councils by Region

(Appendix 1)

Albury and District LALC	MURRAY RIVER	Menindee LALC	WESTERN
Amaroo LALC	NORTHERN	Merrimans LALC	FAR SOUTH COAST
Anaiwan LALC	NORTHERN TABLELANDS	Metropolitan LALC	SYDNEY/NEWCASTLE
Armidale LALC	NORTHERN TABLELANDS	Mindaribba LALC	SYDNEY/NEWCASTLE
Ashford LALC	NORTHERN TABLELANDS	Moama LALC	MURRAY RIVER
Awabakal LALC	SYDNEY/NEWCASTLE	Mogo LALC	FAR SOUTH COAST
Bahtabah LALC	SYDNEY/NEWCASTLE	Moombahlene LALC	NORTHERN TABLELANDS
Balranald LALC	WESTERN	Mootwingee LALC	WESTERN
Baradine LALC	NORTH WEST	Moree LALC	NORTH WEST
Baryulgil Square LALC	FAR NORTH COAST	Mudgee LALC	CENTRAL
Batemans Bay LALC	FAR SOUTH COAST	Muli Muli LALC	FAR NORTH COAST
Bega LALC	FAR SOUTH COAST	Mungindi LALC	NORTH WEST
Birpai LALC	CENTRAL COAST	Murrin Bridge LALC	WIRADJURI
Birrigan Gargle LALC	FAR NORTH COAST	Nambucca Heads LALC	CENTRAL COAST
Bodalla LALC	FAR SOUTH COAST	Narrabri LALC	NORTH WEST
Bogal LALC	FAR NORTH COAST	Narrandera LALC	WIRADJURI
Bowraville LALC	CENTRAL COAST	Narromine LALC	CENTRAL
Brewarrina LALC	NORTH WEST	Ngulingah LALC	FAR NORTH COAST
Broken Hill LALC	WESTERN	Ngunnawal LALC	FAR SOUTH COAST
Bunyah LALC	CENTRAL COAST	Nowra LALC	SOUTH COAST
Casino Boolangle LALC	FAR NORTH COAST	Nulla Nulla LALC	NORTH WEST
Cobar LALC	NORTH WEST	Nungaroo LALC	NORTHERN
Cobowra LALC	FAR SOUTH COAST	Nyngan LALC	CENTRAL
Coffs Harbour LALC	CENTRAL COAST	Onerwal LALC (Yass)	WIRADJURI
Collarenebri LALC	NORTH WEST	Orange LALC	WIRADJURI
Condobolin LALC	WIRADJURI	Peak Hill LALC	WIRADJURI
Coonabarabran LALC	NORTHERN	Pejar LALC	WIRADJURI
Coonamble LALC	NORTH WEST	Pilliga LALC	NORTH WEST
Cowra LALC	WIRADJURI	Purfleet/Taree LALC	CENTRAL COAST
Cummeragunja LALC (formerly Yota Yota)	MURRAY RIVER	Quambone LALC	CENTRAL
Dareton LALC	WESTERN	Red Chief LALC	NORTHERN
Darkinjung LALC	SYDNEY/NEWCASTLE	Stuart Island LALC	CENTRAL COAST
Deerubbin LALC	WESTERN METROPOLITAN	Tamworth LALC	NORTHERN
Deniliquin LALC	MURRAY RIVER	Tharawal LALC	WESTERN METROPOLITAN
Dorrigo Plateau LALC	NORTHERN TABLELANDS	Thungutti LALC	CENTRAL COAST
Dubbo LALC	CENTRAL	Tibooburra LALC	WESTERN
Eden LALC	FAR SOUTH COAST	Toomelah LALC	NORTH WEST
Enngonnia (Murrumbidgee) LALC	NORTH WEST	Trangie LALC	CENTRAL
Forster LALC	CENTRAL COAST	Tumut Brungle LALC	WIRADJURI
Gandangarra LALC	WESTERN METROPOLITAN	Tweed Byron LALC	FAR NORTH COAST
Gilgandra LALC	CENTRAL	Ulladulla LALC	FAR SOUTH COAST
Glen Innes LALC	NORTHERN TABLELANDS	Unyka LALC	CENTRAL COAST
Goodooga LALC	NORTH WEST	Wagga Wagga LALC	WIRADJURI
Grafton/Ngerrie LALC	FAR NORTH COAST	Wagonga LALC	FAR SOUTH COAST
Griffith LALC	WIRADJURI	Walgett LALC	NORTH WEST
Gugin Gudduba LALC	FAR NORTH COAST	Walhallow LALC	NORTHERN
Guyra LALC	NORTHERN TABLELANDS	Wamba-Wamba LALC	MURRAY RIVER
Hay LALC	WIRADJURI	Wanaaring LALC	WESTERN
Illawarra LALC	SOUTH COAST	Wanaruah LALC	NORTHERN
Ivanhoe LALC	WESTERN	Warren LALC	CENTRAL
Jali LALC	FAR NORTH COAST	Wee Waa LALC	NORTH WEST
Jana Ngalee LALC	FAR NORTH COAST	Weilan LALC	CENTRAL
Jerringa LALC	SOUTH COAST	Weilmoringle LALC	NORTH WEST
Jubullum LALC	FAR NORTH COAST	Wellington LALC	CENTRAL
Karuah LALC	CENTRAL COAST	West Wyalong LALC	WIRADJURI
Kempsey LALC	CENTRAL COAST	Wilcannia LALC	WESTERN
Koompahtoo LALC	SYDNEY/NEWCASTLE	Winbar LALC	WESTERN
La Perouse LALC	SYDNEY/NEWCASTLE	Windradyne (Bathurst) LALC	WIRADJURI
Leeton LALC	WIRADJURI	Worimi LALC	SYDNEY/NEWCASTLE
Lightning Ridge LALC	NORTH WEST	Yaegl LALC	FAR NORTH COAST
		Young LALC	WIRADJURI

Boundaries of each Regional Council

